

August 10, 2014
10:16 a.m.
Detective
St. Louis County Police Department
Bureau of Crimes Against Persons

Det. = Det.
Det. Det.
Police Officer Darren Wilson = D. Wilson
Attorney =
Unintelligible = UI

DET : Today is Sunday, August 10th, 2014 and the time is 10:16 a.m. This is Detective with the St. Louis County Police Department, Bureau of Crimes Against Persons,

DET. : I'm here in a conference room on the Division of Criminal Investigation at the St. Louis County Police Headquarter's building. Also present in the room with me is Detective also of the Bureau of Crimes Against Persons, and we are conducting an interview in reference to St. Louis County Complaint Number 14-43984 and an associated report completed by Ferguson Police Department at 14-12391. Also present in the conference room is police officer...and would you say your name for the recorder please?

D. WILSON: Darren Wilson.

DET. : And Darren, what is your DSN?

D. WILSON:

DET. : Okay. And, present with you is your attorney, And, you, yesterday had previously had a conversation a with with Detective is that correct?

D. WILSON: Correct.

DET. : Okay. And that took place at a, the Ferguson Police Department. Is that correct?

D. WILSON: It started there, yes.

DET. : Okay, and then it continued, a, when you had received medical treatment at Christian Northwest?

D. WILSON: Correct.

DET. : Right. Okay. Um, this is a, obviously a follow-up interview a, to that interview and, a, this portion is obviously being recorded. You're okay with us recording this, is that okay?

D. WILSON: Yes sir.

DET. : Okay. Alright. Here, a, I'm gonna show you just, this is a from a, the St. Louis County's website, it is a map of the area in question okay, if you need to-to make reference to this, feel free to go ahead and do so. Okay? And then, let me just ask you a couple a more kinda administrative questions here before we get started, okay? Um, your DSN one more time is...

D. WILSON: .

DET. : Okay. And you are a police officer with the...

D. WILSON: Ferguson Police Department.

DET. : Okay. And, how long have you been with Ferguson?

D. WILSON: Three years.

DET. : Okay. And, how long have you been a police officer for?

D. WILSON: Five years.

DET. : Where did you work before you worked at Ferguson?

D. WILSON: Jennings Police Department.

DET. : Okay. So, you were with Jennings, roughly two?

D. WILSON: Yes.

DET. : Okay. And a, this incident took place a, yesterday. A, roughly a, 12:04 p.m. and yesterday would've been the a, 9th of August. Okay, so on the 9th of August, what were your, a, duty hours?

D. WILSON: 6:30 a.m. to 6:30 p.m.

DET. : Okay, so a twelve-hour shift, right?

D. WILSON: Correct.

DET. : Okay. And, um, and you-when you were on duty on that day what were you a, wearing?

D. WILSON: My full department-issued uniform.

DET. : Okay, which consist of what?

D. WILSON: A, duty boots, a dark navy cargo pants, a duty belt, a uniform police department short-sleeve shirt, badge, radio.

DET. : Um, and then a, were you in a marked vehicle? Is that correct?

D. WILSON: Yes.

DET. : Okay. What vehicle was that?

D. WILSON: 108.

DET. : And, that is a what type of vehicle?

D. WILSON: It's a Tahoe police vehicle.

DET. : Okay. And, it's fully marked?

D. WILSON: Yes.

DET. : Okay, and it has lights on top?

D. WILSON: Yes sir.

DET. : Okay. And a, did you have a radio number that's different than your-than your car number or your DSN? How do you guys identify yourself?

D. WILSON: Frank 21 was my call sign yesterday.

DET. : Is that what is always is? Or, is that just for that shift.

D. WILSON: It rotates depending on what sector I ride that day.

DET. : Okay. What sector were you riding yesterday?

D. WILSON: One sector.

DET. : Sector one?

D. WILSON: Yes.

DET. : Okay. And, so um, when this incident took place, were you a, on a call, in the middle of a call, going to a call, on patrol? What were you doing?

D. WILSON: I had just left a call.

DET. : Okay. What kind of call had you just left?

D. WILSON: A sick case.

DET. : Okay, and where was that at? Do you recall?

D. WILSON: ...I think it's was the address.

DET. : ?

D. WILSON: Yes.

DET. : Okay. Alright. And, so you left that a, that address and where did you go from there?

D. WILSON: I went down Bahama to Glen Owen then down Glen Owen to Windward and then Windward turns into Canfield and thus leaving the apartment complex.

DET. : Okay. And a, what takes place as you're-as you're on Canfield?

D. WILSON: Well, as I left the sick case call I had heard on the radio that there was a stealing in progress from the Ferguson Market on West Florissant. I heard a brief description of black male with a black t-shirt. Um, as I was driving out down Canfield westbound I observed two black males walking in the center of the roadway on the center yellow line.

DET. : Okay.

D. WILSON: Um...

DET. Roughly, where were you at on Canfield? Do you know?

D. WILSON: Um, right about in this area right here.

DET. : Okay.

D. WILSON: Kinda in between this Copper Creek...

DET. : You're identifying...okay, you're identifying Canfield and Copper Creek...

D. WILSON: Yes.

DET. : ...on the-on the map, is that right?

D. WILSON: Yes, and I was going this direction.

DET. : You were...which would mean you were heading...

D. WILSON: West.

DET. : West.

D. WILSON: Correct.

DET. : Okay.

D. WILSON: Um, they had been walkin' in the middle. I remember seeing two cars I believe go around them and they hadn't moved. I pulled up to 'em, stopped with them about at my hood as they kept walking towards me. I told 'em, "Hey guys, why don't you walk on the sidewalk." The first one said, um, "we're almost to our destination" and pointed this direction. So, I guess that's northeast.

DET. : Okay.

D. WILSON: Um...

DET. : So, you're pointed into the complex there?

D. WILSON: Yes.

DET. : Okay.

D. WILSON: I said, "Okay, but what's wrong with the sidewalk." And then that was as they were passing my window the second subject said, "Fuck what you have to say."

DET. : Okay.

D. WILSON: And, then after that I put the vehicle in reverse, backed up about ten feet to 'em, a, attempted to open my door. Prior to backing up I did call out on the radio. I said "Frank 21, out with two, send me another car." Um...

DET. : Did you identify the location where you were at?

D. WILSON: I said on Canfield. I don't think I said the hundred...or the block, but Canfield's only this section.

DET. : Okay.

D. WILSON: A, I could've said 3000 which is right here, so I'm right at the intersection. Um, I back up ten feet, I go to open my door, say "Hey, come here." He said, "What the fuck are you gonna do?" And, he shut my door on me. A, the door was only open maybe a foot. I didn't have chance to get my leg out. I shut the door and he came up and approached the door. I opened the door again trying to push him back tell him to get back. Um, he said something. I'm not sure exactly what it was and then started swinging and punching at me from outside the vehicle.

DET. : Okay. So, he's outside the vehicle?

D. WILSON: Correct.

DET. : And, where are you at at this point?

D. WILSON: Sitting in the driver's seat.

DET. : Okay. And, the door is, is open...

D. WILSON: Shut.

DET. : ...closed? And, how'd it shut?

D. WILSON: It's shut. He has his body against the door preventing me from opening it.

DET. : Okay. How is he-how is he preventing you from opening it? Body against it or...?

D. WILSON: Body against it.

DET. : ...arms or hands or...

D. WILSON: And was...at that point it was his body 'cause his stomach was against the door. His hands were inside on me.

DET. : Okay.

D. WILSON: When he shut the door the second time he put his hands on the windowsill and shut the door and then approached the door with his body against it and he was a heavier set taller subject enough to where he had to duck his head to come into my vehicle and he entered my vehicle with his hands, arms, and his head...assaulting me. He a...

DET. : How is he assaulting you?

D. WILSON: The first time he had struck me somewhere in this area but it was like glancing blow 'cause I was able to defend a little bit. Um, after that he, I was doing the, just scramblin' tryin' to get his arms out of my face and him from grabbin' me and everything else. He turned to his...if he's at my vehicle, he turned to his left and handed the first subject. He said, "Here take these." He was holding a pack of-several packs of cigarillos which was just, what was stolen from the Market Store, was several packs of cigarillos. He said "Here hold these" and when he did that I grabbed his right arm tryin' just to control something at that point. Um, as I was holdin' it, and he came around he came around with his arm extended, fist made, and went like that straight at my face with his...a full swing with his left hand.

DET. : And, that's the hand that he had used to hand off the...

D. WILSON: Correct.

DET. : ...the cigarillos.

D. WILSON: Correct.

DET. : Okay, did he have anything in his hand at that point?

D. WILSON: After he hit me the second time?

DET. : Right.

D. WILSON: No.

DET. : When you, you said, you identified that he came around with a full swing.

D. WILSON: Yes.

DET. : How was his hand?

D. WILSON: It was closed. It was in a fist.

DET. : Okay.

D. WILSON: He hit me with this part of his hand, just like this across my cheek.

DET. Okay.

D. WILSON: Um, after that, it kinda jarred me back and I yelled at him numerous times to stop and get back. I believe somewhere in there I put my hand up tryin' to just get him away from me and there I was, I was already trapped and didn't know what he was gonna do to me but I knew it wasn't gonna be good. Had me, I physic...or mentally started thinking what do I do next? Um, I started off with my mace...couldn't reach it with my right hand. I was using this hand to block and all that. And, I know how mace...

DET. : You were using your...

D. WILSON: ...my left hand was blocking.

DET. : ...and that's closest to the door.

D. WILSON: Yeah. I was just trying to keep him off me and get him back. Um, I tried to go for my mace, I couldn't reach around my body to grab it and I know how mace affects me so if I used that in that close proximity I was gonna be disabled per se. And, I didn't know if it was even gonna work on him if I would be able to get a clear shot or anything else. Um, then like I was thinking like picturing my belt going around it, I don't carry a taser so that option was gone and even if I had one with a cartridge on there, it probably wouldn't have hit him anywhere. Next, I go to my asp. I couldn't get on it...it sits behind me I couldn't reach it, and I was in a car I couldn't expand it. I have a flashlight I carry in my bag. My duty bag was on the passenger seat. I wasn't willing to give up more of my vehicle and my body to him to lean over and grab it and turn away from him. Um, I thought I was already compromised enough. I drew my firearm, I pointed at him..."stop I'm going to shoot you is what I ordered him to get on the ground." He said, "you're too much of a fuckin' pussy to shoot me" and grabbed my gun. When he grabbed my gun, he twisted it, pointed at me and into my hip, pelvic area.

DET. : How did he grab it?

D. WILSON: With his hand over the top. I'm not sure which hand he grabbed it with.

DET. : One hand or two hands or...?

D. WILSON: I think one but then I don't know.

DET. Okay.

D. WILSON: Um, I know his hand was around my trigger finger which was inside the trigger guard. Um, and when he grabbed it he pushed it down and angled it to where it was like this in my hip.

DET. : Okay, and-and just for the purpose of the recording, can you just explain what you're demonstrating right now?

D. WILSON: The, my firearm was in his control around my hand pointed directly into my hip.

DET. : Okay, you're-you're holding the gun in your...

D. WILSON: ...right hand.

DET. : ...right hand. Okay, and your right hand is holding the gun and the gun is now being pointed into your left hip.

D. WILSON: Correct.

DET. Okay. Go ahead and continue.

D. WILSON: At that point, I was guaranteed he was going to shoot me. That's what I thought his-his goal was. He had already manipulated I was not in control of the gun. I was able to tilt myself a little bit and push it down and away towards the side of my hip and kinda lock my wrist into my leg to where he couldn't get it back up 'cause I did not have enough strength to come up and force him off of me. He was-he had me completely overpowered while I was sittin' in the car.

Then I took my left arm and I pinned it against my back seat and pushed the gun forward like this.

DET : Okay, and just for the purposes of the recording again, just explain what you're doin'.

D. WILSON: My left elbow locked into the back of my seat...

DET. : Okay.

D. WILSON: ...took my left hand, placed it against his and my hand on the side of my firearm and pushed forward both of my arms.

DET. : Towards what would be the steering wheel then? Is that...

D. WILSON: Yes.

DET. : Okay.

D. WILSON: It ended up being right about where the door handle is on the Tahoe.

DET. : Okay.

D. WILSON: When it got there I saw that it was somewhat lined up with his silhouette and pulled the trigger. Nothing happened. Pulled it again, nothing happened. Um, I believe his fingers were over in between from the hammer and the slide preventing it from firing.

DET : Okay.

D. WILSON: Um, I tried again. It fired. When it fired, my window had been down the entire time. Glass shot up. The first thing I remember seeing is glass flyin' and blood all over my right hand on the back side of my hand. Um, he looked like he was shocked initially but, and he paused for a second and then he came back into my vehicle and attempted to hit me multiple times.

DET. : Okay, you said came back in your vehicle. What'd you mean?

D. WILSON: He had, after I had shot and the glass came up, he took like a half step back and then realized he was okay still I'm assuming. He came back towards my vehicle and ducked in again his whole bod...whole top half of his body came in and tried to hit me again. Um...

DET. : How is he tryin' to hit you?

D. WILSON: Fist, grab, I mean just crazy. Just random, anything he could get a hold of swingin' wildly. And then at that point I put my hand up like this and tried to fire again and my left hand was up blocking my face.

DET. : Okay.

D. WILSON: Um, my right hand was still on my lap pointing towards the door handle. I tried to fire again, just a click. Nothing happened. After the click, I racked it and as I racked it, it just came up and shot again. Um...

DET. : And, just for the purpose of racking, you're-you're meaning what?

D. WILSON: I took the slide and cleared the chamb...the round out thinking it was jammed.

DET. : Okay.

D. WILSON: Um, after the round was cleared out, I brought it up and I shot again. When I shot that time, a, I was still in this position blocking myself and just shooting to where he was 'cause he was still there. Um, when I turned and looked, I realized I had missed I saw a, like dust in the background and he was running eastbound on Canfield.

DET. : Okay, and you said you shot that second time, right? Where did that round...did you shoot that round through...at the door or the window, or...?

D. WILSON: I'm not sure.

DET. : Okay.

D. WILSON: I'm not exactly sure. It was a, just one of these to get him off me.

DET. : Okay.

D. WILSON: Um, he ran east on Canfield. I exited my vehicle and I said, I got on the radio and said, "Shots fired. Send me more cars." It wasn't found till later my radio had been switched in the struggle, my person radio to channel three.

DET. : What side of your body is your radio on?

D. WILSON: My left side.

DET. : Okay, and you carry that on your belt?

D. WILSON: Yes.

DET. : Okay.

D. WILSON: Um, it's on one of the swivel holsters so it always faces up when I'm sittin' down.

DET. : Okay, and what's channel three for you guys?

D. WILSON: I believe it's county radio.

DET. : Okay.

D. WILSON: Um, our chann...our main channel is channel one. So, I get out, I say that. He runs from this intersection where I originally told you towards this entrance to this parking lot. Um...

DET. : Okay, and you're sayin' that you were originally at Canfield and Copper Creek, right?

D. WILSON: Can I draw on this for you?

DET. Absolutely.

D. WILSON: My vehicle was like (mumbles pen not working) was like right there, if you can see that.

DET. : Okay.

D. WILSON: He had ran around my vehicle in this direction.

DET. : Okay.

D. WILSON: I exited. I followed him in that direction. After I said on the radio, "Shots fired. Send me more cars", I was yelling at him to stop and get on the ground. He kept running and then eventually he stopped in this area somewhere. When he stopped, he turned, looked at me, made like a grunting noise and had the most intense aggressive face I've ever seen on a person. When he looked at me, he then did like the hop...you know like people do to start running. And, he started running at me. During his first stride, he took his right hand put it under his shirt and into his waistband. And I ordered him to stop and get on the ground again. He didn't; I fired, a, multiple shots. After I fired the multiple shots I paused for a second, yelled at him to get on the ground again, he was still in the same state. Still charging hands still in his waistband, hadn't slowed down. I fired another set of shots. Same thing, still running at me hadn't slowed down, hands still in his waistband. He gets about eight to ten feet away, a he's still coming at me in the same way. I fired more shots. One of those, however many of them hit on him in the head and he went down right there. When he went down his hand was still under his, his right hand was still under his body looked like it was still in his waistband. I never touched him. I said um, got on the radio and said, "Send me every car we got and a supervisor." Fifteen to twenty seconds later, two marked cars show up, code three sirens and lights on. They started blocking everything off. A moment later my supervisor shows up and he sent me to the police station.

DET. : Okay. When a, let's just continue with this. When you get to the police station, what'd you do?

D. WILSON: I went into the bathroom to wash the blood off and I had also realized I had blood on the inside of my left hand from my fingertips to about my wrist.

DET. : Okay, so you had blood on your left hand?

D. WILSON: And the back of my right hand.

DET. : Okay.

D. WILSON: Um, at that point, I believe the blood was from after I originally fired, the very first shot that fired and he came back in to hit me, was from him like me blocking is how I got this. 'cause I was not cut or bleeding anywhere.

DET. : Okay, so you think that was his blood then?

D. WILSON: Yes, I think and same on the back of my right hand. I think it was his blood.

DET. : Okay.

D. WILSON: I went right to the bathroom and had to wash it off. I washed the blood off. I went into our roll call room, I took my belt off, I took my gun out, I made it safe, and I sealed it in an evidence envelope.

DET. : Okay. Okay. And then did you remain at the station then until...

D. WILSON: Yes, I did.

DET. : ...a, you would've talked, spoken with Detective ?

D. WILSON: Yes.

DET. : Okay. Okay, um, I just wanna ask you a couple, clarify things here, okay? How many times do you think he struck you when you were sitting inside your vehicle?

D. WILSON: Solid blows to my face struck? Or, just made contact with me?

DET. : A, both.

D. WILSON: Made contact with me, numerous. I mean I'd say excess of ten. His hands were all over me.

DET. : Okay.

D. WILSON: Um, solid blows, I'd say at least two.

DET. : Okay. And, that was to where on your face?

D. WILSON: My face, my jaw line. Both sides.

DET. : Okay. And then a, what commands were you giving him in the car?

D. WILSON: "Stop and get back."

DET. Okay. Was he saying anything to you at that point?

D. WILSON: He was but I don't know what it was. I was not focused on him talking. My mind had switched to of the training mode of how do I survive to get passed this?

DET. Okay. How many times do you think you said, "Stop get back"?

D. WILSON: The entire time I was talking, saying "Stop get back."

DET. : Alright. When he puts, um, when he grabs your gun, how long do you think he's-he's holding your gun or has his hand or hands on your gun?

D. WILSON: Hmmm, ten seconds.

DET. Okay. And, during that time, what are you saying?

D. WILSON: "Get back."

DET. Okay. Um, he comes back in to the car a second time...

D. WILSON: Yes.

DET. : ...after you have fired that first shot, right?

D. WILSON: That was actually his third time re-entering the car.

DET. The third time entering the car?

D. WILSON: Yes.

DET. : Okay. He comes back in at that point, right?

D. WILSON: Yes.

DET. Roughly how long is that portion of it?

D. WILSON: That one was fairly quick. Um, he came in and there was a few wild swings at me, attempts to grab, and then fled.

DET. : Does he touch your gun on that second...

D. WILSON: I don't know.

DET. : ...that second time. Okay. Alright.

D. WILSON: There was blood on my gun whenever I sealed it in the bag.

DET. : Okay. Alright, um, you exit your vehicle...

D. WILSON: Yes.

DET. : ...right? And, obviously, this map we're looking at here is to scale. I don't have any expectation that we're talking on scale here, okay. Roughly, how far do you think he-he runs?

D. WILSON: Originally, 20 to 30 feet. Playing it back last night, there were two cars parked behind me. He ran passed that second car.

DET. Okay.

D. WILSON: I didn't run as far as him. I stopped and I gave our self at least a 20-foot gap between me and him. 'cause when he stopped running, I stopped running. He had already had a head start on me and I maintained that distance whenever he stopped. So, I don't know the exact. I can't give you a num...a number.

DET. : Okay, alright. And, what are the commands you're sayin' as you're running?

D. WILSON: "Get on the ground."

DET. Okay. And, does he comply?

D. WILSON: Never.

DET. At any point?

D. WILSON: Never.

DET. : He turns around?

D. WILSON: Yes.

DET. : Right? And, what's his posture at that point?

D. WILSON: Very aggressive. Um, he is I don't really know how to describe it. Um, he turns, I looked at his face. It was just like intense. It was, I've never seen anybody look that, for lack of a better words, crazy. I've never seen that. I mean, it was very aggravated, um aggressive, hostile. Just, you couldn't, you could, you could tell he was lookin' through ya. There was nothin' he was seeing. Um, he had kind of, he did like that hop and started running and when he did he was kinda leaning forward a little bit and then right as he started his hand went in his pants.

DET. : Okay. And, you said his hand went in his pants and what hand are we talkin' about?

D. WILSON: His right hand.

DET. : Okay. And, you said you stopped, mark me if I'm wrong, but 20-roughly 20 feet away from him, right?

D. WILSON: Correct.

DET. What was, what was that distance...and I know we're-we're not talkin' exact but did you maintain that distance or did it get closer?

D. WILSON: A, I did not maintain it. It did get closer but not at the rate of which it could've if I had stood still. I was backing up. When he started running, I started backing up after the first round of shots and he still hadn't gone down and was still coming just as fast as he was, I backed up at a faster rate. The entire time I was going backwards.

DET. : How far do you think you were backing up?

D. WILSON: I probably backed up at least ten feet in the process.

DET. : Okay. And, how far do you think he went from the time that he stopped, a, and turned around until the time that he went, that he went down to the ground?

D. WILSON: At least 15.

DET. : Fifteen?

D. WILSON: Feet, at least.

DET. : Okay. Alright.

D. WILSON: 'cause if I would've stayed where I had stopped and he had, like where we originally started at that point. If I would've stayed he would've been on me.

DET. : Okay. What were you, a, what were you thinking as this event is progressing?

D. WILSON: He's gonna kill me.

DET. : Okay. Anything else?

D. WILSON: How do I survive. I mean it was, the whole time it was a very non...it started was a very non-confrontational "can you just walk on the sidewalk?" Um, I downplayed the whole issue because I didn't want a confrontation. Ya know, then after he made his comments I realized cigarillos ya know, then I was like well I gotta stop and talk to the guy.

DET. : I-I-I'm sorry. Say that part again.

D. WILSON: I have to stop and talk to the guy.

DET. Because...?

D. WILSON: The comments he said and the cigarillos in his hands judging by the call we just had as well.

DET. : Okay.

D. WILSON: Um, and after that is when it instantly turned into how do I live through this basically.

DET. : Okay.

D. WILSON: I didn't never at any point did I have control of him. I mean, he-he manipulated me while I was in the vehicle, completely.

DET. : Alright. This second individual that was with him...

D. WILSON: Uh huh.

DET. What does he do?

D. WILSON: After he hands off the stuff, I never see him again.

DET. : You don't know where he went. You don't know?

D. WILSON: I believe he ran around the back of my car towards that direction he pointed to. I don't know. I said I...I couldn't observe anything else but the guy that was in my face. He was big enough to take up my whole window and I didn't have an option to look at anything else.

DET. Okay. What type of weapon do you carry?

D. WILSON: A, the Sig 229.

DET. : 229.

D. WILSON: Yeah, it's the same (UI).

DET. What caliber is it?

D. WILSON: It's a .40 caliber.

DET. : Okay. And a, how many rounds a, does that weapon hold?

D. WILSON: It holds 12 in the magazine and I had one in the chamber.

DET. : Okay. And, is that how you carry it?

D. WILSON: Yes.

DET. : That's how you were carrying it yesterday?

D. WILSON: Yes.

DET. : Okay. So, 12 rounds in the magazine and one in the chamber for a total of 13, correct?

D. WILSON: Correct.

DET. And a, it's a .40 caliber weapon?

D. WILSON: Correct.

DET. : And, roughly, do you know how many times you fired?

D. WILSON: No.

DET. : Okay. And...is that the only weapon that you fired?

D. WILSON: Yes.

DET. : Alright. From the time that you first made contact with him, okay, or first talked to both these individuals until the time that-that a, he goes down to the ground, roughly how long is that?

D. WILSON: Less than a minute.

DET. Okay. Um, how long do you think you're in the car for?

D. WILSON: I was in my vehicle when...

DET. : Between the time that you made contact with him and when you're in the car until the time that you actually get out of your car. How long do you think that is, roughly?

D. WILSON: Thirty seconds or so.

DET. : Okay.

D. WILSON: I mean that was the majority of it. Once we got out, I mean, I didn't run very far or very long, um, and that's when the shooting started.

DET. : Okay, alright. And, um, describe your injuries.

D. WILSON: I had, um, some redness to my left jaw line then I had swollen right cheek and jaw. I had scratches on my back and neck, on my shoulders. I guess my shoulders up to my hairline was scratches and red marks.

DET. : Okay. Did you see anybody else outside when this was taking place?

D. WILSON: When it was actually in progress, no.

DET. : Okay. And, other officers arrived after um, he had already went down to the ground, is that correct?

D. WILSON: Correct.

DET. : Okay. Once the a, um, I guess, a, encounter stopped...did a-did you or anybody else I guess, a, call for an ambulance?

D. WILSON: Yes.

DET. : For the suspect?

D. WILSON: Um, . He did.

DET. : Okay. And a he was one of the-the police officers. Was he the, a, first assist officer that arrived?

D. WILSON: They, the two that arrived were both on that stealing call together. They both were on the scene simultaneously.

DET. : Okay.

D. WILSON: He was the first one that made it to me.

DET. : Okay. Um, and then a, the other question I would have is, a, can you describe the um, you said there was two subjects. The first subjects I guess the one that-that fled, um from the stop...can you describe him to me?

D. WILSON: Shorter black male, 5-5ish, 120-130 weight, really dark complected, a, black shirt, brown shorts, unsure of footwear or socks, had, not full-length dreads but you know the like long twisty dreads all over his head.

DET. : Um, have you ever seen either one of these individuals before?

D. WILSON: I did not recognize either one.

DET. : No, okay. Do you think you could recognize a the man with you said dread locks, right?

D. WILSON: Yeah.

DET. : Do you think you could recognize them again if you saw him?

D. WILSON: I think so.

DET. : Okay. Can I show you a-a photo spread here? Can you tell me if you can identify him?

D. WILSON: Yes.

DET. : So, this is a Lineup number 146113, which was, a, created today. Are any of those individuals, there's six people in that photograph...

D. WILSON: Number two.

DET. : ...what number?

D. WILSON: Two.

DET. : Okay. How sure are you of that?

D. WILSON: That's what he looks like. I didn't see him long, but if I, I'd say number two if I had to pick one of those.

DET. : Okay. Alright. Just going through all my notes here. Just give me a minute, okay?

D. WILSON: Uh huh.

DET. : One other question I had a, um, when you a, downloaded your gun or made it safe, um, how many rounds did you discover inside the weapon that were left?

D. WILSON: One.

DET. : One live round.

D. WILSON: Yes.

DET. : Okay. A, was that in the magazine or in the chamber?

D. WILSON: Chamber. I took out the magazine first and it was empty. When I made it safe a round came out of the chamber.

DET. : Okay, a, and then a on your uniform, do you carry any additional ammo?

D. WILSON: Yes.

DET. : Okay, what do you carry?

D. WILSON: Two extra rounds, or two extra magazines.

DET. : Okay, did you ever reload?

D. WILSON: No, I didn't.

DET. : Okay, and those a, the magazines on your duty belt were a full?

D. WILSON: Yes.

DET. : Do you carry any backup weapon?

D. WILSON: No, I do not. There's a shotgun in the vehicle, but...

DET. Did you ever get that out?

D. WILSON:no I didn't.

DET. : Okay. Is there anything that-that you feel is important that we should know. Anything that you want to add. Anything that a we didn't ask you that we should've asked you?

D. WILSON: I think we're good.

: I think we're good.

DET. : Alright. If there's nothing else, a, the time is 10:47 a.m. and this concludes the interview.

August 11, 2014
11:39 a.m.
Detective
St. Louis County Police Department
Bureau of Crimes Against Persons

Det.
Det.

DET Today is Monday, August 11, 2014 and time is 11:39 a.m. This is Detective
with the St. Louis County Police Department's Bureau of
Crimes Against Persons, Also present with me is Detective
of the Bureau of Crimes Against Persons and we are at the
City of Ferguson, a, Police Department in an interview room with Mr....would
you say your name for the recorder, please?

: .

DET. : Okay, and , obviously you realize this is being recorded, correct?

: Correct.

DET. : Okay. And, you're okay with that?

Yes.

DET. : Okay. And, this is in reference to St. Louis County Complaint Number, a,
14-43984 and Ferguson Police Department Complaint Number 14-12391, which
is an incident that occurred on Canfield Drive on a, August 9' 2014. I'm
just gonna get a little bit of, a, information from you here, okay? It's
is that correct?

Correct.

DET. : Okay, and spell your last name.

:

DET. : What's your date of birth sir?

: Is

DET. : And a, what's your home address?

:

DET. :

: Yeah, .

DET. : And, where's that at?

: , Missouri.

DET. : ...

DET. : And, what's your cell phone?
My cell phone is

DET. :
: Yes.

DET. : And your Social Security Number.
: Is

DET : ...
: Yes.

DET : ?
: Yes.

DET. : Okay. And, your employed where?
: .

DET. : As a ?
: Yes.

DET : Okay. Is there a business address for that?
: Um, this is the address but I don't, I'm-I'm not sure.

DET. Okay. You know a phone number?
It's-it's-it's on I know it's located on

DET. : What part of
: Um, right where the industrial plants are at, where um, say you get off of ...

DET. : there.
: ...you make a left and you got a or a whatever those that's-
that's on top like in the middle of the

DET. Okay. So just...
: Right before you go down the main ...

DET. : Sure. By the there.

: ...to yeah, yeah, yeah.

DET. : Okay. Um, you have the phone number?

: Is...

DET. : For employer?

For-for-for...a, let me see. Let me see if I can pull it up.

DET. : what's your middle initial?

DET. Okay.

I thought I had the office in here. I ain't seeing it.

DET. : That's okay.

: Alright.

DET : Okay. So, um, we received a call from Ferguson, a, sayin' that you were here and did you come here...

Yes, voluntarily.

DET. : ...okay, okay you came in here on your own.

: Yes.

DET. : And, who did you talk to initially?

Um, I'm not sure. It's a-a police officer out-outside.

DET. Okay. And, what did you tell that officer?

I need to-to speak with someone about the um, ongoing investigation about um, what happened at Canfield to Mr. Brown.

DET. Okay, and so after that, I'm assuming they escorted...

: Yes.

DET. : ...you into the building then and-and you waited for us, is that right?

: Yes.

DET. : Okay. Um, would you please retell and I'm just gonna set the recorder over there. A, would you please just retell your account of a, were you present when it happened or...?

: Yes.

DET. : Okay. Would you just retell your account of what took place?

Okay, um, well I walked out, I was workin' at a on the right where The was actually on the on it would be, I would be facing...the police car would be facin' towards me and the is on right where the field is a big open field and it's the right there where the is at.

DET. : So, just so I understand a, what you're saying, Canfield Apartments, Canfield by-in-large runs east and west, okay. If you were to travel west a out of, on Canfield you would run into West Florissant.

: Okay.

DET. : B-before you run into West Florissant

Correct.

DET. : So, is that the area that you were workin' on?

Yes, I was workin' on the- if you were traveling east and going in to Canfield .

DET. : So...

: The that's, well the considering you're going into Canfield. It would be the and it's a open field to And, the police, um, as I was sayin', I was going out, I was workin' and I walked outside. I seen the two young guys walkin' down the street on the same sidewalk that I was on and...

DET. : Can I-can I clarify just a couple things? Roughly, what time was this?

Roughly I wanna say 8:40, I mean not 8:40, 11:40-11:40 is when that-when I first seen these two guys. And, my initial thought was, "wow, that's a big dude." Because Mr. Brown, Mike Brown, my initial thought was he's a big guy. He's tall and like stocky build and that's it. He-he, they both walked passed me. I took my tools, went into I came back outside to get some more stuff and I looked down the street and I seen the police car at a slant and I seen Mr. Brown in the window of the police car looked...it appeared as they were wrestling through the window and one gunshot had let off. And, Mr. Brown took off running and my first thought was like "oh my gosh" did I actually just witness a police officer being murdered because it took a while for the police officer to get out of the car and pursue the-the suspect. And, I wanna say maybe six seconds, but it seemed like it was forever after the-the-the first gunshot. So, the police officer exited the vehicle with his weapon drawn pursuing Mr. Brown. Mr. Brown was quite a distance and he stopped and when he stopped, he didn't get down on the ground or anything. He turned around and he did some type of movement. I never seen him put his hands up or anything. I can't recall the movement that he did. I'm not sure if he pulled his pants up or-or whatever he did but I seen some type of movement and he started charging towards the police officer. The police officer then returned fire, well, not returned fire, open fire on Mr. Brown. Um, if I had to guess the shots and the-the distance between him and, a, Mr. Brown, it would have to be five to ten yards and the shots that were fired was four, five to six shots fired and Mr.

Brown was still standing up. Um, and my thoughts was while he's missing this guy this close, is he-is he hitting him or because Mr. Brown there was no reaction from him to show that he was been hit. Um, after that, Mr. Brown then paused. He-he-he stopped running and when he stopped running the police officer stopped firing. And, then Mr. Brown continued, started again to charge towards him and after that the police officer returned fire and um well not returned, I'm using wrong...a started to fire once more at him. Um, if I had to guess the rounds that were fired then it would be four to five more shots and after that Mr. Brown collapsed and fell to the ground.

: Okay. What happened then?

Um, what happened then after that um I didn't see, it was a-a blue Monte Carlo, a-a newer model Monte Carlo, two-door and um, it was closer to the scene where the shooting was at, that occurred. They then drove off and made a-a left into the apartments and drove around the apartment and then came and stopped and um Mr. Brown's friend that he was walking with earlier, I didn't see him the whole time that um this was all going on with, a, confrontation with the police and the shooting and everything. At the end, after Mr. Brown had dropped and um, I seen the, his friend come out of-of nowhere and run across the street and a, said that, "Dog, they just-they just killed him. They just killed him" and he ran um, the back fields of Canfield...the back open field. And um, I must say that also after the, um confrontation after the gunshot when Mr. Brown did run, I thought I heard a, something' metal hit the ground and I'm not sure what it was but I thought I heard somethin' hit the ground. And um, after that I believe, I'm not sure um, if I went in to go tell the people that I was working with that I just...what I witnessed and I came back out and they were taping the scene off and I decided I went down there closer to where the body was and I stayed down there for maybe ten...five to ten minutes and I was speakin' down there on the scene. And, I was tellin' what happened and after me tellin' what happened and I'm hearin' everybody their side of the story, saying "Oh, the police officer shot that kid for no reason. He had his hands up and me knowing and seeing what actually took place, that wasn't true and a, there was different sides to the story and every side wasn't true so I felt uncomfortable in that situation so I decided to-to walk back to the um to that I was at, originally at. And, um, while I was walkin'

DET. : Okay. I'm gonna go back and just ask you a couple clarifying questions, okay? Um, So, I guess so let's first start off. Who were you working with a-a that day?

: I was working um, for myself. And, um, I'm not sure of the-the occupant's name, um that's there. I was hired to come in and do a repair

DET. : So, will you, was, you were not working for that day?

No, no.

DET. : You working doing kind of a .

Yeah, doin' a , yeah.

DET. : Okay. And, did you have anybody with you that you were working with that day?

No.

DET. : Okay. I guess when you said you went in...oh, when you said you went in to tell the people you were working with...

: Yeah.

DET. : ...you had to tell the people...

That-that was the residence.

DET. : I gotcha. Okay. Who were-who were the residents there?

: Like I say, I'm not sure what their names are.

DET. : Was it a female, a male?

: It was a It was a

DET. : Okay. And then um, you said that you saw a, two guys walking down the street, right?

: Yeah.

DET. : Do you remember what they were wearing?

: Um, if I'm not mistaking, Mr. Brown had a tan, tan pants, a red hat, flip flops. It might have-it may have been tan shorts. Yeah, it had to be tan shorts, because I'm not sure of the color. I know they were shorts because his socks a-a drew my attention because they were bright yellow and um black. Looked like marijuana leaves and um, he had a red hat on. I'm not sure of the shirt. And, his friend that he was walking with. I'm not sure what he was wearin'. The only thing I can pick up from him was he had um, smaller dreads that were looked like the tips of his dreads was dyed, a, like a bleach...bleached dyed and whatnot.

DET. : And so um, Michael Brown was the one that you thought to yourself um, that's a big guy?

: Yeah, it is.

DET. : Is that right?

: Yeah.

DET. : Okay. And, which way were they walking?

: They were walking you said west would be out to West Florissant?

DET. : West, yeah, it's towards West Florissant. East is towards the complex.

Okay, so east. Yeah, east. They were walking east when I first, yeah, when I seen 'em.

DET. : How far away were they when you first saw them?

: Um, when I first saw 'em, I mean, I could've shook the guys' hand if I wanted to.

DET. : Okay.

: That's how close they were.

DET. : Okay. Do you know either of these guys?

No.

DET. : Okay. Had you ever seen 'em? Either one of 'em before?

No.

DET. : Okay. A, so they're walking east and I don't, if I say somethin' that's incorrect, please correct me, okay?

Okay.

DET. : They're walking east essentially in front of you're working at?

Yes.

DET. : They continue east into the complex?

Yes.

DET. : Okay. And, you said you went inside to drop off equipment?

: Yes.

DET. : Okay. And then when you come back outside, right...?

: Uh huh.

DET. : ...you, if your-if the is on the side, if you look to your then, it would be, you would be looking into the complex. Is that right?

: Yes, I would be looking into the east, east.

DET. : Into the complex, okay.

: Yeah, yeah.

DET. : or to the would be looking into the complex.

: Yeah, yeah.

DET. : Okay, approximately how far away were, a, were you at that a to where you saw that police car at?

Okay, distance wise...

DET. : And, if you don't know...I ya know...

: ...to guess maybe 100 yards I would say. Maybe less.

DET. : Okay, alright. So you look and you see the police car and where's the police car at?

: It's in the middle of the street at a slant.

DET. : Okay. And, what kind of car is it, you know?

It's an um, I'm not sure what type of car, but I know it was a truck. It's a truck.

DET. : Okay. Um...

: Maybe, like a Suburban style or a long truck.

DET. : Okay.

: SUV.

DET. : And, that truck that's parked at a slant is facing which direction?

It would be facing west.

DET. : West, okay. And, explain to me again what you see at that point.

: I see Mr. Brown leaned over inside the police car um, at maybe I see his back at his um, probably below you, what would you call, like under your armpit.

DET. : Beneath your armpits?

Yeah. A little bit deeper than, right below your armpits. That's how much of his body is inside the car.

DET. : Okay. So you, when you, you were using your hands, you went here and then you kinda went here. Which....?

: Like, I see this much of his body outside the car so, the rest of his body from here up is inside the car.

DET. : Okay, and just for the purposes of the recording, a, so his feet are where?

On the ground.

DET. : Okay, and he is standing, a, where at?

At the a, driver's door by the police car.

DET. : Okay, so his feet are on the ground. He is at the driver's door of the police car.

: Yeah.

DET. : And, a, he's leaning...

: Inside the window.

DET. : ...inside the-the...

The police car.

DET. : Which-which window?

The driver's window.

DET. : Okay, so he's leaning inside the driver's window and-and-and I'm not obviously I don't expect any of this to be exact ya know down to the millimeter.

Uh huh.

DET. : But, roughly armpit or maybe a little bit lower.

Yeah.

DET. : That upper portion of his body is in the-the window. Is that-is that a fair statement?

: Yes.

DET. : Okay. And, so a, is the door opened, closed?

: No, the door is completely closed.

DET. : Okay. And, a, do you see anybody in the driver's seat of that car?

: I-I couldn't make it out. I couldn't, all I seen was Mr. Brown's body.

DET. : Okay. And what was his body doin'?

: At that distance I-I-I couldn't tell. It looked like a-a confrontation and all I could assume was some type of confrontation was going on in the car.

DET. : Okay. Why-why did you assume there was a confrontation?

: Because, afterwards the gunshot, it was the gunshot, one gunshot and he-he ran off.

DET. : Okay, so and again, please correct me if I'm sayin' anything even remotely that doesn't reflect what you're saying. I just wanna make sure I understand, okay? You see him in the car. You can't necessarily tell what's goin' on but after hearin' the gunshot and seeing him run off, you-you make an assumption that there's a some sort of confrontation or conflict inside the car, right?

Yes.

DET. : Okay. So, how...roughly how long do you think that he is, that Michael Brown is in the car?

Um, maybe at least ten seconds from what I seen.

DET. : Okay. And at the end of that ten seconds, what happens?

A gunshot.

DET. : Okay. And then what happens after that gunshot goes off?

Mr. Brown ran.

DET. : Okay, do you know where that gunshot came from?

No, I do not.

DET. : Okay. So, before he runs he leaves the car?

Yes.

DET. : Okay, so he kinda comes out of the car then and then he runs, right?

: Uh huh.

DET. : And, he takes off running in which direction?

: East.

DET. : East, okay, which would be away from you, correct?

: Yes.

DET. : Okay. And, at that point, what'd you do?

: I'm in shock. Um, I'm thinkin' that he just killed this police officer because he didn't get out of the car and follow foot pursuit as-as quickly as I would've thought that he would have.

DET : Okay. And, I think he said six seconds roughly before the officer gets out of the car.

: Yes.

DET. : So, Michael Brown runs east on...east, where at is he running actually?

: He's running in the middle of the street at like, at a slant um and the it will be the first driveway on the left from the squad car that he was-he was turned...about to make a turn like he was gonna go into the driveway. Actually, he did turn into that first driveway and then he stopped and came back towards...by this time the police officer was out of his car with the gun drawn and afterwards he stopped and came towards the police officer.

DET. : Okay, so um, Michael Brown in running east heading towards that-that parking lot, right?

Yes.

DET. : The officer comes out of the car. How is the officer, you said with his gun drawn. How is the officer holding his gun?

Just as if he was gonna use it.

DET. : Okay. And, do you hear anybody saying anything at any point in this?

: No, no. I was not at a close enough distance to hear any words being exchanged.

DET. : Okay, um, what does the officer do then at that point?

At that point he has his gun drawn at a raised point. He-when he felt he came into a line...close enough distance with him, um, it appeared that when he did raise his gun that he's verbally, um, telling this guy givin' him a command and at that point, that's when I seen Mr. Brown turn and he like did somethin' I don't know if was to pull his pants up. It was some type of motion that took place with Mr. Brown's body gesture and after that, um, he began to run towards the police officer.

DET. : Okay, so from the time that-that you hear that first gunshot and the officer gets out of the car until the time that Michael Brown stops and-and turns around and faces the officer, right?

: Uh huh.

DET. : Do you hear any gunshots between that-that period right there?

No.

DET. : Okay. So, Michael Brown stops, he turns around, correct?

: Uh huh.

DET. : And where are his hands at at that point, do you know?

: Um, I know for sure they weren't above his head.

DET. : Okay. Okay, so let's go back to the officer is chasing after or approaching Brown, right?

: Uh huh.

DET. : Brown stops, turns around, and just so I'm clear what happens at that point then?

You're at the point where Mr. Brown stops, turns around...

DET. : Uh huh. He stops; he turns around.

: ...he turns around, he does some body gesture, and I'm-I 'm thinkin' he pulled his shorts up. I can't really recall on what all happened. All I know is I seen the

body gesture. I mostly seen it in the upper body. Um, after that he began to run at the police officer.

DET. : Okay. How far away do you think he was from the officer at this point?

: Um, maybe I wanna say 15 yards, he was away and he may have gotten 5 yards before the police officer fired his first shot.

DET. : Okay.

So, that would bring him in um, a ten-yard range before the police officer opened fired.

DET. : Okay. And, where were a where were Michael Brown's hands when he's...you said he does this thing with his-with his pants right?

Yeah.

DET. : Or something. Um, what does he do after he does that?

: He runs. He's at a charging motion.

DET. : Okay. And, where are his hands at that time, do you know?

Um, I'm not sure where his hands was at that time. A, all I know is that I'm seeing him coming at a aggressive, um, speed and just in a charge mode towards the police officer.

DET. : Is the a trot, or is it a jog, or is it a full out...?

: No, it's a full out...I'm comin' charge full-blown at you try to get to ya.

DET. : Okay. And, so a the officer fires, a, the first shot when-when he's how far away?

: Um, ten yards.

DET. : Okay. And, how many times do you think he fires?

I think he fires, um, five to six rounds.

DET. : Okay, and then after that five to six rounds are fired, what happens?

A, Mr. Brown then paused and the police officer a, cease fire and Mr. Brown then tried to charge once more and that's when the police officer opened fired.

DET. : So Brown charged again and the officer opened fire again?

: Yes.

DET. : Is that what you said? Okay. And then what happens?

: He collapsed in the street.

DET. : Did you see the officer a, touch him at all or anything like that?

: No.
 DET. : Okay. And a, how many officers were-were present when this took place?
 : One.
 DET. : Just the officer that was shooting?
 Yes.
 DET. : Okay. How long did it take before other officers to show up?
 I'm not sure. I walked in the and maybe two minutes...a minute at tops.
 DET. : Okay, but you went back to the to...?
 Two minutes tops. Yeah.
 DET. : Okay.
 : Yeah.
 DET. : A...
 : I'm not sure-I'm not sure there on the time on the response. Because, when I did come back out, I'm not sure if it was the actual, actual police officer that shot a, Mr. Brown that was doin' the tapin'. I know when I came back outside I really wasn't focused then on did another police car show up. What drew my attention was I seen one police officer, um, taping off the scene and I'm not sure if that was the actual police officer that did the shooting.
 DET. : Okay. You made mention of a car, right?
 : Yes.
 DET. : It was west, I'm sorry, east of the police car in the middle of the road, right?
 : Yes.
 DET. : What kind of car do you think that was?
 It was a Monte Carlo. Blue.
 DET. : Okay, do you know what color?
 Blue.
 DET. : Okay. Do you know how many people were in that car or who was driving?
 : No, I'm not sure. I just seen a driver's from a distance. I couldn't get a description. A, I know he was a black African-American.
 DET. : You said he, so it was a male in the car?
 Yeah-yeah-yeah, it was a he. Yeah-yeah.

DET. : Okay. Do you know if there was anybody else in the car?

No, I'm not sure.

DET. : Alright. And a, the individual in the a, with the-the dread locks that were a, you said kinda highlighted...

: Yeah.

DET. : ...or had some sort of color to 'em , right?

Yes.

DET. : He went where?

: He went um, at what time?

DET. A, I guess what's the first point that you saw him?

: The first point was I seen him with the suspect when they were still alive together. The next time I seen him was when after everything already took place where Mr. Brown was fatally injured and he came from nowhere and ran across the street and it would be at the point where he ran across will be in front of the squad car.

DET. Okay.

And, he cuts across and yells a, "They killed him, they killed him", and, I'm not sure if he, at that point when he was yelling at the, um, blue Monte Carlo was at the same, they were at the same point. I'm not sure if he was just yelling it just to be yelling it or if he was telling them in the car that they killed him. And that-and that he never entered their car or went up to that car. He was just yelling and he ran up through the back fields of Canfield.

DET. Okay. Did you notice anybody else outside? You-you made mention of the, obviously the-the-the guy with the dread locks, right?

: Uh huh.

DET. And, the occupant of the Monte Carlo, right?

Yes.

DET. : Did you notice anybody else outside at that point?

No I, I never noticed anybody outside lookin' or anything. Um, I was mainly, I have-I have felt like I had tunnel vision where I was just zoomed in on just what was all going down with him and the police officer. Now, um, I-I didn't see anybody. No, I seen that everybody started coming outside. I did notice when a, Mr. Brown was laying on the ground.

DET. : Okay, alright. A, when you went
how many people did you tell?

Just one.

DET. Just one.

: Yeah.

DET. : And that was the in the right?

Yes.

DET. : Okay. What did say, anything?

: A, I can't recall comments. A...

DET. : wasn't...I guess-I guess...

: ...I can't-I can't recall comments.

DET. : Um, wasn't outside or anything was .?

: No.

DET. : But .I guess what I'm getting at didn't say, yeah, I know I saw this or..

: No.

DET. : Okay. So when you first told that was first, first knowledge of the incident.

Exactly.

DET. : Okay. And, do you remember ...you do not remember name, right?

No, no. I never really got name.

I never...

DET. : Just a-just a

: Exactly. It's just

DET. Okay, alright. How old is roughly?

: I'm not sure. If I had to guess, maybe late early

DET. : Alright. What um, what is your opinion of-of that incident itself?

: Initially, um, I thought wow um, did he have to use that force on him. Um, could he have take and retrieved his taser, um, and tased the young guy? He was...I felt like he was unarmed and my initial thoughts was that. And, after thinkin' about it and reviewing everything and puttin' myself in the police officer's shoes, I feel like he handled the situation correct force wise. The gunshot led from the car, the confrontation led from the car. He came out with his weapon drawn, um, tryin' to pursue the suspect then um, at one point the suspect turns and if he, I felt if he was really tryin' to give himself up, um, the police officer already has his gun drawn. If you're really tryin' to give yourself up, you're gonna lay down on the ground and you're gonna let it be known um, but that he didn't do that and he charged at him and at that time I feel like the

police officer he didn't have time to really react and holster his weapon and re-holster with a taser.

DET. : Okay. The entire incident from the time that you first saw until the time that Michael Brown was on the ground, how long do you think it lasted?

: Um, maybe two minutes.

DET. Okay, alright. You have anything?

: Did we get an address of where you're workin'?

: No.

DET. : No, it was on just east of

No, on the street itself?

DET. Oh no, it's the on the...

: It's the on the

DET. : the complex on the , ?

: Yeah.

DET. : Or, on the or the You remember what it is?

A, I believe it's

DET. : Okay. And, you were just doin' that, outside paying job, an inside paying job?

No, it's a-a

DET. : Oh, to Okay.

: Yeah.

DET. Alright. Um, is this your...I'm sorry, anything else? There you go. Is this your best recollection of this incident?

: Yes.

DET. : Okay. And, a nothing has been embellished ya know, I mean you're being up front, honest. There's nothing-there's nothing you-you're making more out of, there's nothing that you're leaving out on either end of the spectrum, is that...?

No.

DET. Okay. Is there anything else that you would like to add? Anything else that you feel is important that we should know any questions that we did not ask you? And, that's not a trick question. That's just somethin' that I-I wanna give everybody an opportunity to, ya know, speak their peace.

I just um, I just, a, I feel sad about this whole situation that, um, it had to end like this and, um, it's just, just hearing everybody's point of view, I feel that um,

most people think that um, Mike basically “f’d” the police. They think the police are bad for ‘em up until the time where they’re in need of the police. And, a, I just wanted to come forward and just tell it how I seen it. Because I feel like it’s very rare that somebody’s gonna come forward and tell actually what happened.

DET. : Okay. Anything else that you wanna add? Anything else that’s important?

No.

DET. : Okay. You have anything? If there’s nothing else, the time is 12:16 p.m. and this concludes the interview.

August 9, 2014
4:40 p.m.
Detective
St. Louis County Police Department

Det. = Det.

DET. : Today's date is Saturday, August 9, 2014, the time is approximately 4:40 p.m. My name is Detective , St. Louis County Police Department . This interview is in reference to a-a officer-involved shooting resulting in a fatality a referenced under St. Louis County Police Report Number 14-43984. The person being interviewed is date of birth ...I'm sorry, a, who resides at . I'm sorry what's your street name here?

A, Canfield, Canfield Court.

DET. : Okay, a, . A, we spoke um, prior to this recording about what you witnessed outside. Um, can you kinda tell me in your own words what you saw?

Okay, I was in the bedroom and I hear a altercation outside. I happens to look out the window and I see um, the young guy was at the Ferguson police car on the passenger window and I see somethin' exchanged...some arms exchanged and that's when I call my fiancé for her to look out the window and um, that's when I ran into the front outside and that's when um, I see, actually it was two guys um, when, but the guy, he constantly, he just ran down in the middle of the street and the officer just gets out the car and shoots. I thought it was six times. So, um, when he-when he hit, I guess when he hit the first and the second time the guy, he kinda stopped and turned around facing the officer, a bent down a little bit curled up and the officer let out, what three maybe four more shots to the guy and that's when he hit the ground and um, and that was it. And, that was the whole thing. And, he actually had a friend, he, I don't know. I just seen him duck down, a car, um, they had a car door open, it was a white car. Um, he hopped in I guess those two cars left.

DET. Okay.

So, um, but-but that's the whole scene right there. So, the guy's down, the officer um, still have his gun out and tellin' everybody to back-back the ones that was outside and that was that. And, you guys called to..

DET. Okay, um, these-this other guy who was by the officer's car, can you describe him?

: A...ya know the only thing that I could say that he may have, I definitely know that he was black, um, he had dreads.

DET. Okay.

But, I can't even describe of what he had on 'cause everything was happening so quick, 'cause somethin' happens here almost every weekend.

DET. Gotcha.

So, um, yeah, that's it.

DET. Okay. That'll conclude the interview. The time is approximately 4:43 p.m.

August 9, 2014
4:45 p.m.
Detective
St. Louis County Police Department

Det. = Det.

DET. Today's date is Saturday, August 9, 2014, the time is approximately 4:45 p.m. This is Detective . This is a second interview with witness A, you said you had approached me, or you approached me and said that you had somethin' that you wanted to add to your statement, is that correct?

Yeah, um, the only thing is a, when I was at the window when I saw the altercation, the guy ran...I heard the shootin', that's when I saw the cop gets out the car just when I was still...

DET. Did you say you heard shots first?

Yeah, I heard the shots first.

DET. Okay.

I was still at the window. That's when he got-got out of the car and I heard the shots. That's what drew me to outside so I could see what's goin' on.

DET. Uh huh.

And a, I guess the guy did get hit 'cause he turned around back towards facing the cop kinda walkin' back towards him slow curled up and he let go three, four shots back at him.

DET. Okay, say that for me, he turned around, he started wal...curled over and started walkin'...

Yeah-yeah-yeah-yeah.

DET. ...towards the officer?

Well, yeah, like he was hit and he shot him three or four times and that's when he hit the ground.

DET. Okay, so when you're in the-in the just so I can clarify, when you're in your bedroom window, the officer's still in the car.

No-no. He wasn't in it. He-he-he hopped out then. He hopped out after when the guy ran from his window.

DET. Okay.

So, whatever that alterca...altercation was.

DET. When did-when-did you hear the first two gunshots, you said you heard gunshots?

I was-I was in the window.

DET. And, where was the officer at that point?

That he was still in the car. That's when I saw the altercation, whenever it was happenin' ...

DET. In the car.

...and the guys ran.

DET. Okay.

And, that's when he immediately hopped out the car and did his first two shots.

DET. Okay.

And that's when okay-okay I need to go outside.

DET. Gotcha.

That's when I went outside and obviously he got hit and he was curled up and he kinda like walkin' towards him just a little bit and he let go three or four more shots and that's when he hit the ground.

DET. Okay.

But, I was at t he window. That's when I did see the, as soon as he ran, he hops out the car and get...starts shootin'.

DET.

Okay.

That's it.

DET.

Okay. That'll conclude the interview. The time is 4:47 p.m.

August 13, 2014

10:27 a.m.

Detective

St. Louis County Police Bureau Crimes Against Persons

Detective

St. Louis County Police Bureau Crimes Against Persons

Detective = DET.

Detective = DET.

DET. : This Detective with St. Louis County Police, uh, Bureau Crimes Against Persons, uh, DSN is . Uh, also present is Detective St. Louis County Police, uh, Divi-uh, Department Crim-Bureau Against Persons. Um, the date is 08/13/2014. It's a Wednesday, the time is 10:27 a.m. This interview is being conducted at, uh, the parking lot of Depaul Hospital. Um, the interview is in regards to St. Louis County Report Number 14-43984 which is classified as a homicide. Uh, the person being interviewed is . Uh, black male date of birth, uh, Social Security Number uh, who resides at , uh Saint...uh, Ferguson, 63136. Uh, he has a cell phone number of . Um do you understand that this interview is being recorded?

Yes I do.

DET. This is being recorded with your permission?

Yes.

DET. Are you willing to continue with the interview?

Yes.

DET. Okay. Alright um, I know that, uh, one of our detectives has spoken to you, uh, on Saturday, August 9th, uh, the day of the incident, um, uh, in, in regard to what you saw. Um, and basically through, um, some information we received, we, we, we felt that there might be some more information that you may have. So we came to, to re-interview you and, um, you mentioned to us, uh, briefly upstairs that, uh, you had a phone, uh, you had recorded a portion of this on your phone. Is that correct?

Correct.

DET. Okay. And, um, the portion that you've recorded, uh, was directly after the shooting. Is that correct?

Correct.

DET. Okay. So, um, that, this phone, this, um, Samsung phone is yours.

Yes.

DET. And you did the recording.

Uh huh.

DET. And, um, that's you talkin' on the video. Is that correct?

Correct.

DET. Okay. So, um, prior to recording, I had you, uh, sign a consent to search form, uh, St. Louis County's, uh, consent to search for your Samsung phone, uh, with video related to the Ferguson incident. Is that correct?

Correct.

DET. Okay. And you did that with your own free will?

Yes.

DET. Okay. And, understand that all we're lookin' for on there is inci-uh, items related to, uh, the shooting itself.

Yes.

DET. Okay. So, um, like I said, since I didn't interview you the first time and we have this new information about the phone, if you could just start from the beginning at about where you were at in the apartment, um, what you heard or observed. Um, and just kinda let, you know retell us the story. Okay?

Okay.

DET. If you want, you go ahead and hold this so...

Okay. Well, hum, Saturday morning, a little bit after 11:30 a friend of mine stops over wakes me up. Um, I was outside with him for like two or three minutes and he decides to leave so I goes in the house, um, goes back into my bedroom, like another two, three minutes later I hear a altercation outside. And I looks out the window and I see a guy, Michael Brown, at the driver window of the Ferguson police car. I'm not

sure what was exchanged, um, somethin' was definitely goin' on in the window. So, um, but all of a sudden I see Michael Brown and his friend runs away from the Ferguson police car.

DET. Let me stop you real quick. Um, while they were at the-the door there, uh, or well Michael was at the door...

Yes.

DET. ...um, w-what do you think, or what did you see there?

I-I saw some-some arms goin' through the window. It might have been Michael Brown's arm, he-he might have been punchin' the police officer or whatever. Somethin' was goin' on through the window.

DET. There's some kinda movement, exchange of....

Yeah, some kinda movement, you know...

DET. ...something goin' on there.

...yeah somethin' was definitely goin' on.

DET. Okay. So where at that time that Michael's at the window, where is, uh, his buddy at?

The-the, his buddy was basically in the front of the car on the other side.

DET. In the front of the police car?

Yeah, kinda of, but away.

DET. On the passenger side?

No, no, no, just in the front. In the front, like, you know, he didn't even...

DET. So, w-sh-usin' my window, Michael Brown's to my left.

Yes. In the window and the other guy was in the front...

DET. So you see him...

...probably like, away. Kinda almost...

DET. How far?

...like, probably three, four, maybe five feet away from the car.

DET. So he's five feet from the front quarter panel...

Yeah.

DET. ...of the police officer's vehicle?

Yeah. But I'm...

DET. So towards your apartment basically?

Yeah.

DET. Okay. Alright.

So, um, so, like I said the, the friend wasn't even nn-not close as much as Michael Brown was.

DET. Okay.

So, um, like I said, all of a sudden they just immediately runs away from the car.

DET. They both did?

They both did.

DET. Which direction did they go?

Um, the fir-um, Michael Brown just runs back straight...

DET. Behind the vehicle.

Yeah, behind the vehicle, runnin' straight down the road as the friend, um, he just ducks behind the first car that was parked off to the side which is like a two door Monte Carlo or somethin'.

DET. What color was that?

It was white.

DET. Okay.

So, um, like I said, the moment they got started runnin', um, I just see the Ferguson cop just gets out the car and I hear the first four shots I should say.

DET. Okay. And-and when you hear the first four shots, let me know where all three...

(UI)...

DET. ...well, let me know where all three of these guys are at. Where is, where is his buddy? Where is his buddy first of all?

His buddy, his buddy was, uh, by time he was like behind, hidin', um, uh, behind the trunk of the car, of the two door, um, white Monte Carlo.

DET. So, so that's where he's at?

Yeah.

DET. Okay. Where's...

Like goin' around...

DET. ...the police officer at?

The police officer, like, just getting' out the car.

DET. Okay.

Like, just gettin' out the car and Michael Brown is already probably, like, 25 feet...

DET. Down the road.

...down the road.

DET. Okay.

So, um, like I said, he hops out the car, um, the first three four shots that I noticed that was taken, I, that's when I yelled out to my fiancé, "let's go outside cause this, um, somebody, uh, the officer is shootin' at somebody."

DET. Okay. Just hold on real quick. When those first four shots are bein' taken, where's the officer shooting from and which direction is Michael Brown facing?

Michael Brown is facin' away from him.

DET. So he's still running?

Yeah, he, uh, he still...

DET. With his back to the officer.

...yeah, with his back to the officer.

DET. Okay.

And the officer is basically, um, um, when, like I said, when he gettin' out his car, he's basically walkin' towards the back as he's shootin'...

DET. Okay. So...

...and I see the front, I'm still in the window.

DET. Okay.

And I see his friend, uh, like I said, he's duckin' for his life for he runs behind the trunk of the car, but that car, that passenger door was open.

DET. Uh huh.

You know, so I see him, you know kinda hops in after, um...

DET. Did he hop in the car?

...I, obviously he did. Um, obviously he did because, like I said, um, like the first four shots, uh, the officer was takin' big steps goin' passed his car when he got out the car...

DET. Uh huh.

...so that's why I noticed that he's not shootin' for the other guy,...

DET. (UI)

...cause he walked passed the white car , shootin'.

DET. But did, but, but did, did he, what I'm sayin' though, did you see him get inside the car?

Yeah. He did, he did.

DET. He did get inside the car?

He did, he did, but not like that, like as far as in like, um, that was his car, like he just got out of it or somethin'.

DET. No, no, but he had, and, but, the but...

(UI)

DET. ...his buddy with the dreadlocks...

Yeah, um,...

DET. ...he got into the car, the, the white Monte Carlo?

Yeah. The white Monte Carlo, cause the door was open or whatever cause, uh...

DET. Didn't it pull off?

Um, I th-it, I think it pulled off...

DET. With him in it?

...after- after when, um, uh, when a Ferguson, as a matter of fact, I think it's, it might have been on my phone cause I seen a white car on my phone but I didn't...

DET. Okay.

...-I can't see if it's, um,...

DET. Alright. So, but you saw this guy get into the car?

Yeah, I did see that...

DET. Okay.

... 'cause the door was open and I guess after when he got done shootin', I guess whoever that was drivin' told him let's go 'cause he's, afraid for his life....

DET. Okay.

...I'm sure of that. I'm sure of that.

DET. Okay. Alright. So you're positive he got in the car and he left in that car?

Yeah.

DET. Okay. Alright, so let's go back to the officer and Michael's runnin' down.

Yes.

DET. The officer has exited his vehicle.

Yeah. And...

DET He was, and so, um, you said Michael was like 25 feet down the road...

Yeah, already.

...his back is to the officer...

And, um,...

DET. You are, uh...

I'm, I'm, ss-I'm...

DET. You're still on the porch, right? Or on the balcony?

Yeah, when it, after when he did the first shot, that's when I'm, um, came outside. That's when I'm outside now but when I came outside, he was already hit. But as far as in....

DET. Okay, is, so I'm sorry, I, I may be goin' too fast here, but, um, so when you hear the initial shot, you're upstairs?

Yeah, in the bedroom.

DET. Okay.

The first floor or three.

DET. Okay. So then, okay, so you heard a shot and then you went outside...

And then I went outside...

DET. ...and that's where you saw them kinda doin' the...

...that's when the, no, no, um, when I saw the first four shots, that's when I yelled out let's go outside. When I, when I...

DET. I'm sorry. (UI) hold on just one second, I need to back up just a little bit because, had you heard a shot before you saw them tusslin' in the car?

No, no, I heard a altercation.

DET Okay, you're, that's what you heard that brought you outside initially?

No, uh, what brought me outside was the gunshots.

DET. Okay. I'm sorry, I'm, I'm tryin' to be very clear on this...

 Alright, I got you...

DET. ...is why, which is why, I'm, I'm havin', so, the very first thing that drew your attention was what?

 The altercation.

DET. Okay.

 From hearin' stuff.

DET. Okay. So you heard them arguin'?

 Yeah.

DET. Or some-some kinda...

 Yeah...

DET ...exchange of words.

 ...yeah, yeah, yeah.

DET. ...-is what you hear? What is the first thing that you see?

 Um, a guy at the window doin' somethin'-somethin'.

DET. Okay. Had you heard any gunshots at that point?

 No, I didn't. I, nn-no I didn't, but...

DET Okay.

 ...a lot of people sayin' that they heard a gunshot startin' from the inside, but like I said...

DET. But you didn't hear that?

 I, I didn't, I didn't hear that. I mean, I might have heard it if I was outside already.

DET. Okay.

 But, it probably (UI)...

DET. I understand, what I'm tryin' to see...

I got you...

DET. ...what brought you outside...

...I got you, I got you. So um,....

DET. So, so let's skip forward to the part where, 'cause we know where he w- we know where the friend was at. We know where he went.

Yeah.

DET. We know, um, so what I wanna take you back to is the part where the officer gets out of the vehicle...

Uh huh.

DET. ...and starts to go towards the back. Michael was runnin' down the road...

Yep.

DET. ...and, what is going on there?

Uh, like I said, by time I got outside, so either...

DET. So (UI)...

...he musta hit from those ff-the first three or shots.

DET. But that's what I wanna talk to you about.

Right.

DET. The, the first four shots that you're talkin' about...

Uh huh.

DET. ...I wanna be very clear on where...

Uh huh.

DET. ...the officer was at.

Yeah. Um, like I said, he-he was, m-probably, um, just passin' the end of his truck.

DET. Oh, so he's by the rear bumper?

Yeah.

DET. And the driver side quarter panel area?

Yeah.

DET. Okay.

Yep.

DET. Okay, so he, uh, h, uh, has he already fired or he starts firing then?

Naw, he-he been shot. He been fired...

DET. So, from the time....

...he been fired.

DET. So...

But, like, so when he got out the car...

DET. He start firin' as soon as he got...

Yeah, 'cause....

DET. ...out.

...the, that's how I noticed that, um, uh, that he kept shootin', um, walkin' pass the white car where his friend was.

DET. Okay. Okay, I just wanna make sure that...

So the four or four shots...

DET. So the si-the second he exited he started firing at Michael who was running away.

Yeah, so it was like, pow, pow, pow, pow.

DET. Okay.

(UI) like take time and he was also takin' big steps, steppin' out the car and, like I said...

DET. Okay.

...and I seen him shootin' as he was walkin'...

DET. Was he yellin' anything?

Uh, yeah, he-he (UI)....

DET. I don't want you speculating.

Yeah, yeah, I, he w...

DET. Was, I mean was he yelling anything at all? And, uh, even if you can't think...

You know I can't even remember....

DET. (UI)

...I can't even remember that...

DET. You don't know.

....I can say, yeah.

DET. Okay.

I can't even remember.

DET. Okay.

Um, um...

DET. So, um, see, as he's runnin', and he's takin', the officer's takin' these four s-four shots, and he's by the rear bumper...

Uh huh.

DET. ...where, what is Michael doin'? Or how is he reacting?

Um, like I said, about time I got outside after when I told my fiancé let's go outside, from the first shots, I goes outside and that's when I noticed, like, obviously he's been hit because now he's facin' the cop.

DET. Okay, now where are you at, though?

Now I'm outside.

DET. : Okay. Now show me where...

So...

DET. : ...where that Monte Carlo was at.

: ...yeah, it was probably about right here. It was two cars actually...a white one and a purple one.

DET. Okay.

: So, um, after when I seen that...

DET. Oh, here you go. That's the map, of the area. (UI)...

: Oh, yeah, yeah, okay. Yeah.

DET. : So...

Yeah, so yeah....

DET. ...is this your building right here?

Um, it's probably, (UI) shapes kinda weird. Yeah, I think that is it (UI)...

DET. : Okay.

: ...okay, so, um, so it my window right there then, uh, yeah, so the car musta been...

DET. : Car right there?

...right there and he musta, his body must have been about there.

DET. Okay.

So.

DET. : So, alright, so....

And um,...

DET. : ...by that time where are you standin' at watchin' this?

: Um...

DET. : After the first four shots had been fired, where are you at?

...after (UI) I w-I'm outside...

DET. Where?

...after the first four, on my, um, balcony. On my balcony.

DET. : You're in the balcony?

Yeah. So, uh...

DET. : And did you go downstairs though?

: Uh, I didn't go downstairs unt-this is, this was after, uh, the tape is up and stuff like that...

DET. : Okay, so you never went downstairs?

No, I never went downstairs until afterwards.

DET. Okay, okay.

(UI)...

DET. So, you're outside now when, after he's fired these first four shots?

Yep.

DET. Okay, tell me what happens then.

: Um, when I steps outside, um, the guy, obviously, um, he's been hit 'cause he curls up and I, but now he-he's facin' the Ferguson, the Ferguson officer. And, um,...

DET. : So, when you describe him curlin' up show me.

: Um, he's uh, he's, like I said, like he's been hit in the stomach.

DET. He's bent over?

Yeah, kinda like...

DET. At the waist?

...yeah like he about to fall and fall directly....

DET. Okay.

...on the ground. And, um, but I see him takes like one or two steps, kinda like I said, towards him, you know...

DET. Now...

...now I don't know if that was a help sign, just a little bit.

DET. Okay, w...

Just a little bit.

DET. Well tell me this.

Uh huh.

DET. Everybody's describing his hands being up.

: You know what, that, now that's like, because when, when, okay, from where my balcony is, it's another buildin' right there. Um, he, where his blood spill at, where he got shot at, he ran passed that.

DET. Uh huh.

Before he, you know, got that...

DET. How'd he end up comin' back?

Yeah, that's why, the, that's, I was just, uh, what I'm, what I'm sayin', like I said, he musta got hit and he, he probably had his hands up when he got hit. (UI)

DET. Oh, so you're sayin' that area...

That's why everybody...

DET. ...that area's out...

...keep sayin' that.

DET. ...of view?

Yeah, uh, quite, uh out of view, but he ran passed the, uh, where he got shot at.

DET. Okay, so the, the part of the area where he got shot with those four.

Yeah, he-he, yeah, where he died at, he ran passed that spot.

DET. And came back to that spot?

So obviously, I think when he got hit, that's when he probably raised his hands up, but he's, then curled up....

DET. Yeah.

....but walkin', just took a couple steps back towards him, you know, he probably had one hand up, but, um, but he had his hands down here and that's, uh, the officer let out about four more shots and he hit the ground. Just like how he's layin'.

DET. So you see him bent over...

Yeah. Just like how he laying...

DET. ...okay and then, but what I'm sayin' though is, and then after he's bent over, there's another four shots?

Yeah, yeah, like another four shots or three shots. Just like that and everybody sayin', like, he was already down and then the officer let off shots. I don't know, but, I know what I saw. So...

DET. Okay.

...before he hit the ground, he let off four more shots.

DET. Okay.

So I can't remember...

DET. And where he...

...if he said "freeze" or-or-or said somethin' before he let out the last ones, but I know when he...

DET. Did you hear Michael say anything before those last four...

No, I didn't, huh uh.

DET. Okay.

No.

DET. So, where he, where he was at in the street, is that where he fell? The-the, like, nobody moved him?

No, ain't nobody moved him or nothin'.

Okay.

Nothin' so, uh...

DET.

Nobody touched his body?

Nobody touched him, uh, after, af-right after that, the officer just stood over it, like, five feet away from him with his gun on his walkie talkie thing...

DET.

Okay.

...and called the first two or whatever.

DET.

Okay.

And that was it...

DET.

Alright. Is there anything that I haven't asked you or that you feel you need to clarify?

Uh, no that's everything really. Everything that I saw.

DET.

Okay.

Everything I saw.

DET.

Alright. Um, it's uh 10:43. We're gonna go ahead and conclude the interview.

August 12, 2014

15:57

Detective

St. Louis County Police Department

Bureau of Crimes Against Persons

Detective = Det

Detective = Det.

DET. Today is Tuesday, Aug, 12, 2014, and the time is 3:55pm. This is Detective with the St. Louis County Police Department's Bureau of Crimes Against Person, DSN I am here at the New Horizon's Seventh Day Christian Church at 206 Emerling Drive, in Cool Valley, Missouri 63121, which is the church of uh; also present is Det. of the Bureau of Crimes Against Persons, DSN ...

DET. :

DET. : and present with us is uh mister, sir would you say your name for the recorder please.

:

DET. : Okay,
Right.

DET. Okay, and what is your date of birth?

DET. Okay, and what is your cell phone sir?

DET. . Okay, and your home address?

:

DET. Okay, and a, Caddiefield is within the uh
Right-right.

DET. Canfield Green Apartments Complex. Is that right?
Right, yes.

DET. Okay. And just so uh, uh, just so I understand correctly, you uh, you contacted a, Is that correct?

Yes, after um, he had come out, to witness, um, a gathering they had out there some type of vigil. And a, I been knowing him for years and uh, he saw the proximity of where we were and he knew, that's when I proceeded to tell him, well he was, asked me did we see (UI). I proceeded to tell him, ya know what I witnessed. Uh, I had another family member who was there, who came a few minutes later. He had left to make a run, he came in and also explained it to him. Okay, and so after uh, weighing ourselves, and I'm not coming forward, what I'm coming forward now because it's weighing on me. You know, but uh, the reason I hadn't, I hesitated is because one I live in the area, two if the things that was said by other people who, which is not really what happened and I was a eye witness to it...by living out there if you go against what they are saying, I think they might nut up. Uh, go crazy. Uh, I live with who is facing some serious health problem and surgeries that are about to come, and that's my priority.

DET. Sure.

I have to protect , I don't' care about no one else, but .

DET. Yes sir.

If, I see it at any time that this is gonna cause or bring or bring any drama toward us or , it's ended.

DET. Okay.

Okay?

DET. Okay.

I'm sorry.

DET. Yes sir.

It's ended. Okay.

DET. Sure.

And depends on me. I just went through I depended on
I'm not well, not well. Okay.

DET. Okay.

So, uh, after talking to cause was adamant for me not to say anything. not going to say anything, but is really scared. Um, I talked it over with another fam...the other family members and let 'em know that it was weighing on me and uh I decided after seeing and hearing um, certain civil lead...civic leaders say certain things that I know, they were true but not quite accurate. And I want to set it straight, because the family needs to know what actually happened.

DET.

Okay.

Okay.

DET.

Yes sir.

Alright.

DET.

Okay.

So you want me to continue?

DET

Yes Sir

Okay, on the day of the incident I always sit, I stay on the floor, my bedroom window. I can look straight down Canfield toward west Florissant. And I was at that time, I was looking out the window and I happen to see two young men coming down the street, but they were in the middle of the street and I was like what the heck are they doing? Why are they in the middle of the street? I didn't really think much of it because a lot of people walk out in the street. I've walked it, but a closer to the curb, but I have walked in the street. A lot of us do that. And then I saw the police truck and he passed him a few feet and then he backed up. When he backed up I knew something was about to happen, so I got up and I went to the door and I came out and stood on the porch. By the time I got there they were tussling, in the car, it looks like, I don't know if the officer had grabbed him or the boy reached into the car. I didn't see that part. But, I dispute the fact that that officer was out of that truck. He was not. They were wrestling in the truck, 'cause when he was wrestling with him I saw something fly. I don't know if it was a hat or something, then I heard a shot. "Pow." The boy backed up and ran and I'll show you in a diagram. And he got to a certain spot which was maybe 25 30 feet maybe more. You can measure it, I'll show you. And when he turned to face the officer he raised his hands but he didn't raise them all the way up. He raised them up and looked and you could see that something was on his hands and he looked down like he was looking at his side and he looked at, and then he turned and faced the officer like what happen, why ya know. I gonna, I don't know what was going through his mind but if I had a guy shot I would have came at like why did you shoot me or ya know whatever. The officer exited the vehicle came around to the back he's about, at the, well I can't say he was on the passenger side but he wasn't quite at the end of the truck-....

DET.

And when you say who, you're talkin' about? I'm sorry he-...

The officer the boy was still standing on the, on the, on the partially on the parking lot and on the grass. 'Cause he had ran that way. The officer came out came around got into his stance. And he said "stop." Because the boy looked up at him and he took two steps, about two or

three steps. Pow, pow he fired off about three rounds and he hit him the boy kinda wiggled. And when he came back up he had the weirdest look on his face and he started coming forward. Not in a, like he was tryin to attack him, it's like he's coming to him like to plea with him stop. The officer did say, "stop, stop, stop." Well after that third time, he let loose. And the boy was coming forward slowly. Real slowly. But you could see he was hurt, 'cause he was like this. And rocking back and forth. He wasn't in a upright position he was kinda hunched over. And as he was coming forward and he fired off the volley he was falling. He didn't fall to his knees, he fell straight down. And as he was going, he kept firing. He kept firing. Until he hit the ground. Okay.

DET.

Okay.

At that time I had to turn my attention to because was about ready to hit the floor. I had to grab You know stand there, behind ; I had to come around and grab Like hold up. like oh my God, oh my God, you know. And never seen anything like that. Okay. I've seen it. In certain areas of the cities I've been in and here. So I had to get . And my brother had to calm his wife, because the were totally freaking out. When we turned around and looked the officer was walking back to the other car that was parked, he had came in and parked behind him um, maybe 8 – 10 – 12 feet maybe behind him so he was walking back that way. And the young man was there. Okay his truck was in front of, was, well he was in front of the truck. When he fell he fell straight on the two yellow lines. Like dead in the middle of the street almost. But his feet was kinda off the lines. You know. And after that it was everyone started coming from the back, saying, "oh my God. He had his hands up in the air, tellin' him don't shoot, don't shoot, don't shoot." He never uttered a word, because after he hit that-that-that second voll... that first volley, he could, it was like he couldn't talk. He was like, cause he was more or less to me, looking at his face like he was in shock 'cause he couldn't believe what was happening. You know. And he was kinda and I'm going to say it again. He was walking forward. But it was not in a menacing way, he was coming to him as if to...help me, stop or something. It awe, after he said the-the last time the officer said stop, he just let loose. To me he was already injured. If he had not fired that last volley, I think the boy might have survived. 'Cause it looked like he hit him in here, okay. But as he was going down, I don't know where the bullets hit him. You know, all I saw was his body going down and the guy, and he was steadily firing. Okay he st...he never came out of his stance. You know and I know you, do both of you know what I am talking about?

DET.

Yes sir.

Okay, and like I said when that happen that's when everyone come back and all of them started saying things like oh he was on his knees, and

when they shot him he shot him on his knees. Uh, then they came by and they said oh he was laying down and the officer came and shot him in his head. No, he may have, if he does have a head shot it was because he was coming down. That's the only way I could see it. Okay, I've fired a weapons, I've been training myself, I've gone to gun ranges and everything else. As he was coming down that the only way I could see that...if he was hit in the head, it was as he was falling. He did not intentionally shoot him, walk up and shoot him in the head. But he did not have to fire that last volley. That's what killed him, to me. Because he didn't look like he was ready. You know. He was, to me and I'm going to say it, he was executed. He had made up his mind he was going to kill him. Because he was a big guy but that big guy was on his way down after that first volley. He was getting ready to go down. And then when he started shooting again he was really coming down. And that's all I have to say about that. But I can show you a diagram and show you how he ran, how he, how far back he ran, where the driveway and the post, so you can measure. But I know, the um, that, you can tell from cert...a medically how do I say this.? How far a person been shot. You can tell a person been shot, you can tell if a person been shot 6 feet, 8 feet, 10 feet, 34 feet, okay. He was coming forward, but he was not coming menacingly. And I'm going to reiterate, when he fired that last volley which he did not have to do, that boy was gonna go down. And he might have lived because if they could have got the EMT's to him they, right then he may have lived. I can't say for sure, I pray to God that he would have. But I can't say for sure, but I truly believe in my heart that he would have survived, but when he fired that last volley he killed him. He had no intention of letting him come, move. None. Maybe he got caught up in the heat of the moment or whatever was his intention I cannot read that officer's mind, but he did not have to fire that last volley.

DET.

Okay.

And I have I am trying to convince him to come forward. He will verify what I was saying okay. And we will both all of us especially is like it was the last ones that killed him okay. And there is no way on this God's green earth is ever going to open mouth to you. I'm not going to let

DET.

Okay.

Okay.

DET.

Okay.

I will move out of this damn city before I let talk to you, because I got to protect We've, lived out there for over years.

DET. In Canfield?

Yes

DET. Okay.

Okay. So I need to protect Okay let me show you what I am talking about.

DET. Sure.

Okay, if I am sitting at my window, let me turn first, let me show you what I am talking about. This is my window here.

DET. Okay.

I'm looking, this direction, okay, Canfield comes down, I'm just going to draw it, it's gonna be rough. This is the street two yellow lines. There is a lamp post right here, this is a lamp post. This is the driveway here. Then you'll see a street sign that's right here. He never made it that far...street sign. Okay, from here the lamp post he later fell say, you can measure from where his body was. They were walking in this direction, no this direction. He came down, he backed up. When he came back, he pulled around and his car was in, the truck, police car, was right here. This is the car, sorry about the writing a little nervous. But anyway, when he grabbed him, it was on this side.

DET. And just-just so I'm- I'm clear.

Okay.

DET. Which way is the car facing?

The car is facing here, this is West Florissant. Right here, okay. His car was facing as you're going down Windfield toward Northwinds, okay. So he had came, he was kinda, he was cut straight across like at an angle. But he was, he was going this way originally toward west he was going this way, the policeman and then he backed up and that's when words were said.

DET. The policeman was going towards?

He was going toward Northwinds.

DET. So he was driving east on Canfield?

Yea, yea, yeah. You know they so many of them directions okay yeah he was going east. Uh, I said it okay he was going this way. We'll go with

this then east or however you want it. Okay he was going this way toward Northwinds.

DET.

Okay.

They were going down that way also. He passed 'em and then he backed up and words were exchanged. Then when I got there they were grappling in the car. The car was still pointed this way. The shot was fired, the cop backed up, whipped it around. Okay, he was in this position right here. He exited after the shot was fired, he the boy ran from this area. He ran to right here he was standing about five feet from the street on the driveway, that's when he turned. When he got about to the first volley, was here, okay. The officer was at the back of his car, he was walking toward him. When he got about right here near the yellow lines, that's when he hit with the other shots. Okay the first shot was in the, was either in, it had to be in the car, in the car, he had to shoot him from in the car, because he-he never exited the car.

DET

Who never exited the car?

The officer.

DET.

Okay.

He never exited. He shot him to get him off of him.

DET.

Okay.

I could see that. Somebody was on me, oh wait he's a big boy. (Puff sound) Get off of me. "Cause he thought he was in fear that something wrong. I don't know if he thought he was going for his gun, I seriously doubt it, beause he's on this side, his holsters here. I mean he would have to reach all the way across him to get his gun. That doesn't seem logical to me. But however it maybe if he turned to where he could get it. He shot him. The first shot, I heard one shot. He backed up and he ran. Right here.

DET

He backed up meaning Michael Brown backed up?

He backed up and then he turned and ran.

DET.

Okay.

And then when he, I guess the pain or the shock that he finally realized, I'm shot. He was about five to six feet off the street in the driveway, right on the corner. Right at the he had like one foot on the grass and one foot on the driveway and then he turned around and he like-like this. So that is why people thought he raised his hands.

DET.

And...

He looked down and then he did this. And he looked at the officer and he walked. He took about three to five steps. He hit him again. POW, POW, POW. But he did say stop. Okay, when he decided to hit him again... those other three shots he kinda wobbled, and he looked...and his head was down he kinda looked up like and it like this...he had his hands...he was coming at him like-like this, you know, 'cause he hit him and he was over like this and then he took about I couldn't say how many steps but he was near that, yeah, he was coming toward that yellow line. Those two double that-that yellow line that separates the street. By the time he got damn near near it, that's when he hit him with the last volley. And he was already on his way down. Now that's why they were saying because he got hit in the head he was on his, what I am hearing from all the fools out there 'cause you got these young people out there that have nothing better to do than smoke weed all day. A lot of 'em weren't even there. We looked up and down the street to see if anybody else was, ya know, like damn are we the only ones seeing this? Nobody was around. From this driveway, the apartments that are back here on this side and this side, we can see every porch. There was nobody out. The side of the street the next house this opposite my window, nobody was out. Across the street from me, no one was out. Then all of a sudden here comes a crowd from the back of the buildings from those apartments, when they got up and saw him laying there and the policeman still standing there, they said oh my God the man has, a one guy "Awe he had his arms up in the air", and that's when people started running and they all you saw it, this is what happen. Okay.

DET.

Okay.

That's why I said that they had it almost right. It's the truth but it's not because he didn't have his hands all the way up. He never opened his mouth. But he was trying to see what the hell was going on, 'cause he was shot, he was trying to see where he was shot at. And he was staggering forward a couple of times and he was bent over and he yelled "stop, stop, stop". And we was telling him, we were yelling at him "stop, stop, stop, don't, stop dude stop." " POW, POW, POW, POW" as he was going down. He was already on his way down.

DET.

Okay. Can I ask you just a couple questions to clarify a few things?

Go ahead. Uh, huh.

DET.

Okay. Um, just so, so I am clear let me, let me ask you this first? From the time you looked out your window...

Uh huh.

DET. ... okay and you saw, did you see the uh, the two gentlemen walking in the street first or did you see the police car?

I saw them walking down the street.

DET. Okay.

I saw them first, and then I saw the truck.

DET. Okay.

And he pulled, he drove kinda eased passed 'em like, I know he was like why are they walking in the middle of the street. Normally, we walk closer to the, to the sidewalk. Yeah, I mean closer to the edge of the street. And he stopped and then he backed up. When he start backed up I'm looking at these two guys I say some things going on. I ran to the front. Its not far from my door, my bedroom to my front door, okay. My brother and his wife had just got there they were coming in and when they heard the first they spun around. I had walked out the, I'm going out the, I'm looking out the door, I'm going out the, in fact I had the door open and I'm looking they turn around they were right behind me. was standing in the, in the, in the windows, I was, we these patio doors was standing right there. We weren't going to let come out.

DET. So you were standing on the....

I'm on my porch, in front of my door. And I'm good looking dead at it.

DET. Okay. And so your apartment in relation on this map is where?

I'm okay this is um, the driveway, you see on this side of the street...

DET. Yes sir.

... which is the north side, we're on this side. Our apartment building, okay, is on this side right here. There's apartments here.

DET. Uh huh. Those are the one's that almost face directly Canfield Drive?

Right, right and as it goes around it turns you know the street bends this way. Alright?

DET. Okay.

My apartment building is right here. Alright. My window is here; and I'm looking dead this way. I'm looking in that direction. Then there is an apartment building here, on this side as it goes bends around. That's another apartment building right there. If you out in that area you can see I got a rough drawing but once you look at this and then look at that then you will see where it is. You have my address, you see that

building number

DET. Uh huh.

...on that side of the street. We're right in, that's the driveway and if you turn and if you stand at the driveway or you pull in that driveway where those are you can look at my and all you have to do is turn around and look. And you, this will be self explanatory.

DET. Sure. Okay.

Okay, I mean I consider myself an artist. So this, really, I'm serious, I could show you, I am good, very good. Really gentlemen I am very good. Um, I took architecture too. Uh, I sold comics, comics, I sold quite a few. I'm good, this is pitiful.

DET. No worries.

Sorry, sorry.

DET. Okay so from the time that lets say that uh, all parties encounter one another...

Uh huh.

DET. ... in the street right there until the time that Michael Brown goes down to the ground. Roughly, how long are we talking?

Not long at all. Not long at all, I wouldn't even give it five minutes.

DET. Okay.

My, my brother may have a different time. I thought it went a little quicker but he might say a couple minutes longer. But I think within five minutes.

DET. Okay.

Okay, because it went from, well after that, after he was first shot it went from zero to a hundred, like that. Because as soon as he came around that-that (UI) he got in that position that's when Michael spun around like what the hell, you know, and he was coming toward him. But he was walking you know but when he hit him with the other three, kinda, like I say wavered he rocks, like fighting keep from going down and then when he took a, and the officer says "stop, stop, stop" because he was making some more steps toward him he had gotten when he came from here and by the time he got off and he had stepped into the street that's when he got hit the first three times. By the time he got that three shots then he got toward the lines when he was coming to him, he was, like it looked to me like he was going down, but

maybe he might not have been he was trying to fight it, ya know, trying to keep himself together and he said "stop, stop, stop." Wham, wham, wham, wham for that last volley. I think it was about four shots of them, four or five shots.

DET. Okay. So um, the encounter in the vehicle itself...

Um, huh.

DET. ...okay, you said and if there is anything that I say that is even remotely incorrect...

Uh huh.

DET. ... please correct me okay.

Okay.

DET. ...Uh, you said that you were unclear as to, a, who grabbed who, in terms of the vehicle.

Of who grabbed who.

DET. Okay.

But, see what bothered me and really wanted me, made me have a really fight of conscience is when they said that the officer was outside the truck that's a utter total lie.

DET. Okay.

He was not, he was still in that vehicle. When he shot him he ran then he exited his vehicle, he came around to the side because Michael had moved this way so he couldn't, I think he came out, had a better angle at him. He assumed his position he did tell him to stop after he saw him come, made the, came off the grass and stepped into the street. He told him to stop then he like, when he shot the fella the first three times that's when we started yelling at the guy man hold it "stop, stop, stop, stop." But he was steady, he was like help me, help me, and then as he was going down he let the other ones go.

DET Okay, so the the encounter in the vehicle itself...

Um huh.

DET. ...How long do you think that lasted?

That didn't last very long. I couldn't give you a time but a matter of minutes, maybe.

DET. Okay. And is there anything definitive that you can say that you saw that took place at the vehicle.?

Only thing definitive that I can see is that they were tussling at the car. (cell phone ringing) They were tussling at the car. The officer had not exited the car.

DET. Okay.

That's when we heard the first shot.

DET. And what do you mean by tussling? A...

It looked like they were wrestling for something, I don't know, I don't know if he had grabbed him and he was trying to get away. You know, because you can't really see him. You can, I can see the body. I could see the officer sitting at his, in the driver seat, you know and the guy was, he was whaling around.

DET. And, and are are Michael Brown's feet where?

Right there at the side of the door, I guess.

DET. On side of of what?

The pass, the driver side.

DET. Okay the driver side door. And then uh...

He was practically up against the car.

DET. Okay, up against the driver side door?

Practically up against it yeah.

DET. Okay and then where is-...

He was trying to get away.

DET. And where are his hands at?

It looks like one of them was inside, it may have been both I could, I could definitely say at least one of them was inside.

DET. Okay, where was his head at?

About right at the where the door where the jam is.

DET. Okay.

The door at he was like this, they were tussling.

DET. And-and right now you are kinda demonstrating just moving back and forth?

Right moving back and forth. They like-...

DET. Moving your arms.

Right they tussling like going like this moving their arms. I couldn't see directly in the car but you could see the body movements right there at the door.

DET. And you could see that there was a struggle?

And as that there was struggle.

DET. Okay.

And as they was struggling you know, then we heard POW...

DET. Okay.

... that's when he bring it. That's when he let go and he ran.

DET. Okay, so uh so Michael Brown let's go and he runs in what direction then?

On this side of the street. The north side where the driveway is.

DET. So he, does he stay on the driver side of the vehicle the entire time?

Yeah, he's on he's practically on that naw you have to see where the car is parked, he's on this side of the truck now.

DET. This side meaning which side?

The passenger side.

DET. So he moves around to the passenger side.

No when he, see he pointing the car is pointing in the direction where he-he ran.

DET. Okay.

Okay, he's at the driveway this is the-this is truck is parked sorta like this. This is the front, here here. This is the driveway, it's back over here. So when he came from here when he got shot he ran to the driveway on this side of the street.

DET. Okay and I, I, guess just so because when I, when I go back and and try to replay this in my head, if we're are sayin'-if we're sayin' this side of the street or this side of the car...

Right.

DET. ... I, I will not , I won't be able to visualize this.

(UI)

DET. So can I, let me draw the car. Okay.

Okay.

DET. So let's just for arguments or for I guess simplicity sake right?

Right.

DET. This is the vehicle, right.

Um, huh.

DET. This is the front of the vehicle.

This would be the front.

DET. Okay, well then we'll just flip it around okay.

Right.

DET. This would be the front of the vehicle-...

The back.

DET. ... and this the back of the vehicle. Okay and obviously here would be the uh-...

Driver's side.

DET. Driver's side door.

Right, um, huh.

DET. Okay and if you are saying that they are arguing or uh wrestling through the window, right?

Right and when he got out he ran this way.

DET. Okay, so he runs around in this direction.

Around right.

DET. In this direction.

Right, Um huh.

DET. Is that a fair and accurate.

Yes. Right and I told you you need to take this and you see this is dia, and how the street is configured, where this driveway is, where the lamp po..., its on the side of the street where they have the memorial. The memorial on this side. That's the side he ran too, okay. When he

got to there he was on he was actually on the passenger side. He got shot on the driver side and he ran that direction.

DET. Okay. And the direction that you are pointing right now?

So when he ended up-when he ended up in that position where he was on that driveway, it wound up he's on the-on the passenger side because the officer exited from his driver side and came around to the back to the passenger side and he was like this. Well, not like that like this.

DET. And you're you're showing uh uh...

Yeah he had hand like that...

DET ...that he's holdin' his hands out.

Uh huh, he had the gun in his hand like this.

DET. Okay,

Right.

DET. Okay, so and then you-you demonstrated here on the map that you drew

Uh huh.

DET. That, and again correct me if I am wrong. This direction here is north so Michael Brown would have ran in a northeast direction.

Right, right.

DET. Correct?

Right.

DET. And runs to the point of -...

The driveway that's right there.

DET The driveway and I'm going to put an x where or I guess would you mark an x were you're saying-....

Here's the x where he stopped is about five feet from the street.

DET. Okay.

Okay.

DET. And so I'm just going to make a notation on here where the x is on here just so I can remember later that um, where this x is and where this 5 is right here.

Uh huh.

DET. That, that is where...

He- he stopped.

DET. Okay, so Brown stopped...

Right.

DET. ... and that was on the, you said on the...

He wound-yeah he wound up on the passenger side.

DET. I'm sorry about that. I thought I turned that off. Okay so where when he, when he runs in this direction right here...

Uh huh.

DET. ... and he ends up and you've got the lamp post identified here the driveway identified here.

Uh huh.

DET. ...where does he end up exactly? You said one foot was on?

When he turned around he had about one foot on the grass and one on the driveway. That's when he turned around and realized, that he I guess he realized he had been shot...he really realized he had been shot, ya know. Maybe, the first when they fired the gun , I, maybe ran because he you know ooh shot, maybe he didn't get me. Okay, but when he get there he stopped, and that's when he realized-....

DET. Can I, Can I just back up one second so I can clarify. By this lamp post right here.

Right.

DET. By the grass and the driveway...

Right.

DET. ...of what would be the next driveway that you would come to if you left the police vehicle and traveled east, is that correct?

Right. Um, huh.

DET. And the driveway we are talking about would be on the north-...

So the memorials here, and this the driveway.

DET. In the North side of Canfield, correct?

Right, um huh.

DET. Okay, so Michael Brown stops at that point right?

Um, huh.

DET. And at the point that is he, is he walking away, is he running away, what's he doing?

He ran to that spot where that x is and stopped.

DET. Okay and when he stops. Where are his hands?

Right down, down below him like this.

DET. Okay.

They didn't start coming up until he turned around to realize that he been shot.

DET. Okay.

'Cause when he raised his hands he's looking at his body like, then he was, evidently he might have saw some blood or whatever he like this and he like what you know he had his hands out like this. Ya know.

DET. Okay and he...

And he kept looking and then he took about two or three steps, about three or five steps and that's when he hit him again. POW, POW, POW.

DET. Okay, so he stops and as he turns around and you say turns around do you mean turning around to face what?

Look at the officer.

DET. Okay so he turns around-...

Like why did you shoot me?

DET. and faces the officer-...

Yeah, um huh.

DET. And as he faces the officer...

Uh huh.

DET. ... you say that his hands go up to a point where?

About to his shoulders almost.

DET. Okay, so your elbows are...

Right here.

DET. Essentially like...

Like they were close to his body almost.

DET. Okay and-and your hands are...

Like this.

DET. Kinda raise...

He had his hands up like this.

DET. ...your arms are like palms up, and hands and fingers are roughly shoulder height is that fair enough to say.

Yeah about close to his shoulder, yes. Uh huh.

DET. Okay.

About where I'm at now

DET. And they are out at a somewhat of an angle.

What would you say 35-45 degree angle from the body, about like this.

DET. Okay so he stands there at that point.

Uh huh.

DET. Correct?

Uh huh.

DET. And what...

Excuse me.

DET. No worries, no worries. Okay so he is standing there as I'm demonstrating right now and as we just discussed, right?

Um huh.

DET. What happens next?

He's standing there he's look, he looks down he's looking at his body.

DET. Okay and right now you are looking down to.

Right, he's looking at his body and he looks up at the officer who had by that time was standing facing him after he turned around in his position.

DET. In his position you are demonstrating you're gonna put your hands up.

He has already assumed that position.

DET. And he is holding the gun in his hand.

Before, yeah he was there before he even turned around damn near.

DET. Okay can I stop you there for a second. How far away are they from each other at this point?

About 30, 25-30 feet.

DET. 25-30 feet?

Yeah.

DET. Okay. Is there, Is there any. Okay we'll continue with 25 or 30 feet, right?

Uh huh.

DET. The officer is standing in a fixed position.

Right.

DET. Standing still pointing his gun, and please correct me if I am wrong.

Uh huh.

DET. If there is anything I am saying wrong, pointing his gun at Michael Brown correct?

Um, huh.

DET. Okay and um, Michael Brown is standing facing the officer at this point, with his hands at his rib cage,

Yeah.

DET. Hands palms up.

Uh huh.

DET. A, about shoulder height out-...

Well they weren't up against his rib cage, it was out 'cause he was looking down.

DET. Slightly-...

Slightly away from the body.

DET. And he was looking down at his body at some point.

Right, right um, huh.

DET. Okay, and is anybody saying anything at this point?

The officer, when he, he look...as he raised his head he told him stop. He hadn't moved then.

DET. As Michael Brown raises his head?

As he raises his head he says, "stop right there stop."

DET. The officer says this?

Yeah he did say stop and when he left from that fixed spot then he was walking toward him...

DET. Towards the officer?

Toward the officer. When he, as soon as he put his foot on the street, he hit 'em three times.

DET. Like, how many steps do you think he took before the officer fired?

Big boy as he is it didn't take that many steps, I really couldn't count ya. Um, all I know is he was about like I said about five feet from that curb and he got by the time he got from that spot and he got stepped off that curb.

DET. Stepped off the curb onto?

Canfield.

DET. Canfield.

Yeah.

DET. Is when that first shot went out?

No the next shots. The first shot was at the car.

DET. Oh, in the car, yeah I'm sorry okay I'm I guess at this point I'm not...

Right.

DET. ... just for clarification purposes I'm not discussing the car, I'm talking about...

Right, no, right. He, yeah, he fired...

DET. Outside the car that's the first volley of shots.

The first volley of shots.

DET. And how many-how many shots do you think were fired?

I think it was three.

DET. Okay and again just is anybody saying anything at that point? The officer is saying "stop."

 He was still yelling "stop."

DET. Is Michael Brown saying anything?

 He is not, I'm telling you he just, it was a plain look I couldn't see exactly what the expression on his face, but can you see he was looking dead at the officer. But he was-he was like this, but he had his head I'm lookin' at you, I'm like, what the...ya know, and then he took a few more steps and he was look like, to me it looked like he was ready to go down. But, he was fightin' to stay up.

DET Okay and can I-can I stop you here?

 Um, huh.

DET. Just so we can kinda stay chronologically, and we go into...

 Right, okay. Alright.

DET. Okay, So when Michael Brown steps on to Canfield...

 Uh huh.

DET. ... that first volley of shots...

 Right.

DET. ...a, takes place.

 Right.

DET. And you said that you thought that was how many shots?

 Three.

DET. Okay three shots.

 I think so.

DET. And where are his hands at that point?

 After he hit him with the three shots, they were down.

DET. Okay, where at?

 Down beside his body like this.

DET. Okay and you are basically putting your hands down at your side.

 Yeah, they were like they went limp.

DET. So those three shots are fired, his hands go down at that point.

Uh huh, right.

DET. What happens then?

He, he kinda staggers he was like wobbling, staggering and he was looking at the officer. The officer said "stop, stop, stop", 'cause he was he had started to proceed to make a few small steps toward him.

DET. Towards the officer?

Right. And he was like his almost body was almost like at a 60-75 degree angle from the waist down, you know he was like this.

DET. So his legs is standing up but torso.

Yeah his torso is bent over but his legs but he is wobbly and when he took it, he told him stop he yelled out stop three times. Okay and Michael was steadily taking steps toward him, okay, but after he said stop the third time, that was the last, that was it.

DET. So uh, the officer says stop three more times.

Uh, huh.

DET. Michael takes how many more steps?

Couldn't be no more than two to three.

DET. Okay so, Michael takes two or three more steps the officer says stop three times.

Um huh.

DET. And then the officer fires.

Right.

DET. Okay. And how many times did he fire? On that, and now we are talking about...

On the last volley, I think it was four.

DET. Okay.

Okay and when he hit him with the last he took one step and then bloop, face first.

DET. Okay.

Right into the concrete, right there on the yellow line.

DET. Okay. And he, you said face first landed on his stomach, right?

Yep, he went straight down like this.

DET. Okay, and at the point that he fell to the ground-...

Um huh.

DET. How far was he from the police officer?

The officer is at the-at the rear of his vehicle.

DET. Okay and so um, you said 30-...

His, his front tires and engine for the first, for the door jamb of the first- of the front door was probably on at the line, here's the line, here's the door jamb right there like that. But this part of the car where the engine is was sitting across the line. He was at the back of the truck.

DET. Okay, how close to the back of the truck are you thinkin'?

The police officer?

DET. Yes sir.

He was almost right there at the, almost parallel.

DET. Could he reach out and touch it?

I don't know how long his arms are?

DET. Well.

I couldn't tell.

DET. I'm just trying to gauge in my head, like uh, as a frame of reference.

No I don't no. I don't think he could touch it. His arm would have to be, I don't think his arms that long where he could have touched it.

DET. But he could have maybe taken a step or two and touched it, or?

He would have to take a couple steps to the side and touch it.

DET. Okay, okay.

Because he wasn't behind it, he was right parallel with the back of it. Okay?

DET. Gotcha okay alright. Uh, so it is your belief that Michael Brown was falling to the ground after that first?

He was struggling to stay up.

Yeah he felt something he was trying to find out where it was at.

DET.

Okay.

You know and he raised his head and he was taking a few st...and he started moving forward and when he stepped off that curb and the officer standing telling him stop, he told him stop as he spun, when he turned around and was looking at him that's when he said stop, stop like don't come no further, don't come no closer. I'm thinking his intention, but when Michael hit that, when he stepped off into the street he hit him again.

DET.

Okay. And, and you say hit him again the first time that he hit him would have been, you're sayin' in the car?

First shots was in the car.

DET.

Okay, and so...

Then when he stepped in the street another volley.

DET.

That was the second time.

After he came off that volley when Michael kept staggering he was like he was staggering toward him but he was still looking at the officer it looks like. He was looking at the officer and he was coming forward the officer never broke his stance and as he took a few more steps he had yelled stop three times Michael was still approaching him barely like I said his body, his torso was at an angle and then he let off that last volley. And Michael went down face first.

DET.

Okay alright um.

DET

You said two, two guys were walking down the street. Can you describe the other guy that was with him?

He was a lot shorter um, dark complexion. He later was interviewed, uh said he was his friend.

DET.

What was his actions that you observed, what did he do?

After the shot, he ran.

DET.

Where was he when you saw the struggle going on in the car?

He was like on the sidewalk.

DET.

On the north side of Canfield or south side Canfield?

North side.

DET.

North side of Canfield

Right.

DET. Was he by anything, that you can think of?

Uh close to these uh a tree that's right there. He there's a tree nex, up in the yard. Here's the memorial where they got all the uh all the bears tied on a lamp post but behind that lamp post is a tree.

DET. And so he was by that tree.

He was by that tree. When he heard the shot he went, he had moved back there 'cause they was struggling and he was over there. Uh the next thing I know he was gone.

DET. Okay, I'm just going to draw by the lamp post that tree where you were pointing right here and I'm just going to identify, I draw a circle identify it as tree-...

Right.

DET. And I'm just going to say where-....

His buddy was, his friend that was walking with him.

DET. Other male was.

a little short guy, I seen him all the time.

DET. And you're saying when the shot went off uh which shot?

The first shot.

DET. In the car?

Right.

DET. One shot in the car went off okay?

Um, huh.

DET. And um, so was he, was the other male present when the incident near the driveway and light lamp post takes place? Which way did he run too?

Toward West Florissant.

DET. So, the other male takes off running towards West Florissant right?

Right, um, huh.

DET. Okay.

And his police car the second one was right about well later pulled in a second one was there. There was a white car sitting right here.

DET. A white car.

Yeah before the next driveway.

DET. And did you say parked on Canfield or stopped on Canfield?

Yeah it was stopped on Canfield.

DET. Which direction, facing which direction.

Facing toward West Florissant.

DET. Okay was it in the middle of the road?

And we truly believe that he jumped in that car.

DET. In the white car?

Right, 'cause that car left out of there in a hurry. I guess you know the shots being fired they could hear the volleys going off, they pulled off. While Michael was laying there in the street the first time that they finally brought the cover out to cover him I'm still on my porch, up pulls a car in front of, facing me on my side of my driveway.

DET. Uh huh.

He exited the car with a girl.

DET. Um.

The one that was with him.

DET. Okay.

Exited the car with some girl she had her arm around him. He was like, he was upset 'cause he knew Michael his friend was dead. And they walked across the street toward the apartments that are across the street from me and it's like a, they are shaped like u-shape and they went around the bend and I never saw again until about I couldn't tell you about how much longer it was uh, then he later came back out from where he was and walked over to where everyone had gathered. And was watchin', you know, you could hear him hollering and screaming my friend, my friend, my friend, you know.

DET. Okay. So do you think he had any involvement in the incident at and/or in the police car itself?

No.

DET. Okay. Do you think he had any involvement in anything that took place after that?...When...

No, he wasn't even around.

DET. Okay and so do you think he saw what took place in the police car?

He, he, he possibly did. He was on that side. He was on the driver's side, driver's side. So he had a view straight at Michael and the officer. He had a view straight at them. I'm more looking from the driver's side. He's standin' on the...I'm, I'm passenger side. He's on the driver's side. 'Cause that's where the tree is and that's where the car was sitting. Okay. So if he, when he was standing there he saw the struggle and when that first shot got off...

DET. He was gone.

He was gone.

DET. And he ran where?

Straight toward West Florissant.

DET. So from this tree, this tree area right here toward West Florissant.

Yeah running straight up the sidewalk going that way.

DET. And then this is where that white car was roughly?

Yeah and then he disappeared and the car sped off. We don't know if he went around to the other, around the building or either he jumped in that car, we don't know. I can't say for sure 'cause I didn't see him. All I know is when that first shot rang out you could see him running. He was like he got the hell out of Dodge.

DET. Okay.

But if he did jump into that car, okay, he could have seen it by looking out the back window.

DET. Sure okay.

I can't say for I would say with at least about a 99-95 percent certainty I didn't see no body peaking around the building at the end of that building that apartment building that sits there, where the incident happen on that side on the north side of the street. I didn't see anybody.

DET. Okay.

Okay he didn't run up on the porches he ran down the sidewalk.

DET. Okay but you're, you're just speculating whether or not he got into that car. You're not sure.

I'm not sure.

DET. Okay, alright.

That's what we're, we, me, uh, myself and my family we was did you see, naw I didn't see him, did you, no. But all of a sudden all we know is he ran car left. Car was there, he ran, car left. We don't know if he got in there or not.

DET. Okay.

Okay, he might a have ran down further down to look back, but we couldn't see nobody. I could look straight, I could see from there to where all the way to the uh, maintenance shed. Where it bends headed out towards West Florissant. From my porch if I stand on the corner of my porch where I am at I got a clear view of everything.

DET. Okay.

Okay, and I am going to reiterate it. If you I don't know if you wannago stand if you stand on that side right there you can see everything else you can see this here. You will-...

DET. So if you stand on that side (UI).

...right you will be tell just yaeh (UI) yeah this will explain itself, I'm sorry I couldn't do a better drawing but this will explain itself if you stood there and said oh, okay that's the memorial that's where the body car's this way, um, there's the tree, there's the pole, here's the driveway. Then you can judge how far it is, I might be wrong, I'm bad at distances. But I think it's about like that. Okay?

DET. Understood. Okay. Understood.

That's way I'm saying please do that. And you will understand this drawing a lot better.

DET. Sure.

Okay.

DET. Okay. Can I and I realize I'm not asking you your, I'm asking you to, to kinda editorialize when I say this okay? But I really want to get your-view point on this. Now, I'm talking about both individuals I'm talking about the officer I'm talking about Michael Brown.

Right.

DET. What do you think that, what do you think that was done right and what do you think was done wrong?

Right I can't say anything. One as I said the people in Canfield people in Northwinds we walk up and down this street all the time. I've had officers past me, they pass other people walk with their kids in the street, headed to the stores. They never stopped us, they didn't say get out of the street or anything. They said something to him. Now there also, let me tell you another little back story. I don't know the young man personally, but I see him, I saw him all the time.

DET. The young man you are referring to.

Right. He said he has a friend that stays in an apartment just across my parking lot.

DET Just so I'm clear which young man are you talking about?

Michael.

DET. Okay.

I can count on my hand the amount of young people out there that calls me sir or speaks to me every time they see me. I seen them in Quick Trip, I seen them walking up and down the street. As I'm constantly going back up to the stores and doctors or whatever. But anytime I see that young man and there's a lady that stays downstairs from me and I met her like sit down and talk, keep an eye on the neighborhood. Anytime he see us, when he come up our driveway he always 'cause he sees us, speaks how you doing ma'am how you doing sir? He is one of the most respectful guys I ever seen, the young guys out there. The rest of them is they have a saying they call me what's up o.g.? That's to me, that's they think it's a sign of respect but I would rather have a young man speak to me in that term how you doing sir? And actually ask me how my day is. The rest of them they don't give a shit. They just acknowledge your presence. They would rather walk through me than around me. Not him. He was always walking back and forth, and he was always pleasant. The lady downstairs knows him and when I showed her his picture she started crying. She said you right that's the one, oh I know that's the young yeah that's the one that always comes up and goes in that apartment building up there. And she broke down crying. She said well it he was such a nice bigl boy. You know. She's a few years older than I am, I'm And I would rather have a young man speak to me like that because our youth is so screwed up. You know. I have two children very respectful. I have seven grandkids very respectful. Okay. That's what I want. Our youth today we got babies raising babies. How can you expect these young men out here to be right when they were raised by someone who was not fully mature. Okay. And in the environment that is out there now. A group of girls eight of them got to fighting why 'cause they were arguing over who's

boyfriend spent the most time in jail and who had the worst crime. And that led to a fight. That's the environment I live in. And, that's not the environment I want, that's not the environment we need to have. I would rather have officers come and talk to these young men, they are so afraid, 'cause they have nothing to look forward to. They just walk up and down the street. First they don't even show up half the time. They come up and down the street and our (UI) I can count on my hand how many times I seen him in a week. Just cruising through but out there when they do have (UI) everything goes to Northwinds. I never read about what is going on back in Northwinds. I see'em go back there five to six times in one day. Never hear about it. So if it's not being reported and it's not being acknowledged they going to keep on doing it. They were masking last night, excuse me for going off the script here but on my porch we sat out and watched, I watched over a dozen young men t-shirts wrapping around they heads so the only thing you could see was their eyes. I called Ferguson three times, I got it on my phone and they're aware of it. I said miss how could they be aware of it no one's ever back here. No one's come back here. And I, they was growing, they keep growing they was getting agitated more, more, more, I said they getting ready to do something they getting ready to go steal. They getting ready to do it. The next thing though they jumped in about 4 - 5 cars, and what do I hear this morning. They broke into shit. They could have stopped it, if they would have brought they butts back here and checked these boys out. 'Cause I guarantee you one of them maybe some of them, I maybe wrong, I hope I am but maybe involved in some of those stores being broken in yesterday.

DET. Okay um, could I ask you just for the purposes of-of identifying that this is the drawing that you did and this is what we discussed. Could I ask you just to sign and date these?

DET. It's the 12th.

Oh, I know it is. I have tomorrow.

DET. Then would you mind doing the same thing on this one just indicating that's what we talked about with the vehicle. Okay. Now um, I'm going to ask you, I'm not, you made it very clear that is not going to talk. I'm not going to ask you name.

Nope not giving it.

DET. I'm not going to go there. Uh, however I am going to ask you your brother's name.

Not until he tells me I can give it.

DET. Okay.

'Cause it's on him.

DET. Sure. Okay.

I do my part. It's on him, he has a family he is thinking about. Even though he doesn't live down there. Okay, I don't have a car so he comes and takes around and everything else.

DET. Okay.

And then he's mainly, he's my youngest and he's always around to take when needs to go the store (UI). He's down there quite a bit. Uh, his two kids come down when my grandkids come up. They come up they come down and spend the weekends. I watch them.

DET. Okay.

So they cousins make sure they have the time. So uh, I am talking to him. He knows we been knowing him for years over thirty some odd years been known a long time. Um, he has spoken to some police officer he was at a function he met an officer, an officer gave him his card and to my thinking is that he may, he might reach out to this person. Okay he may go that route. Because he's out there. Uh, he did speak to but I know him I know the other two gentlemen became brothers so that is the reason I reached out to him.

DET. Okay understood. Um, two things I forgot to mention. Can you describe what Michael Brown was wearing? Do you remember?

Like uh baggy shirt, t-shirt it looked like, some pants, I couldn't tell what was on his feet a, because after he fell I thought I saw some shoes there I wasn't quite sure if I saw shoes or not. Um, I think someone had taken a picture there's a young lady who lives there at the, and she's suppose to have a video. I think she has a excellent shot of his body.

DET. Okay.

Someone did show me a picture that they had taken and that they posted on what is that, that Facebook? I'm not that tech savvy I don't have a computer, all I have a phone for is to make my calls. That's it. I bought the phone from my grandson, he's the one that's on youtube and all that crap, I'll just leave that um, it looked like on the picture he had on shoes.

DET. Okay, but you don't remember?

All I know is when I walked up to the body he all he had on was a pair yellow socks.

DET. Okay, and then...

And loose fitting pants, kinda baggy, uh, what do you call them things, oh, they don't look like short shorts, by you know how they wear them down they come down to your calf almost, they kinda long shorts.

DET. You know what color?

No I didn't pay that much attention.

DET. Okay and the police vehicle what did the police vehicle look like?

It's one of the big trucks they have, the SUV's, the trucks. That's mostly Ferguson very rarely do we see cars.

DET. They're always driving SUVs?

We'll see the K-9 guy we see him more than we see them other people. He comes all the time. Um, but mainly the trucks is the main ones they have come through.

DET. Okay, okay. Is there anything else that you feel is important we should know, any questions we should ask you anything?

No, no, everything I got, the only thing I saw was wrong was the man was shot for no reason. He did not have to fire that last volley.

DET. So your, your concern is that last volley of shots that he fired.

That last volley, I truly believe in my heart and God-and God's eyes that if he had left him alone without that last volley they could have saved him, he might have lived. He is a big boy, I'm not saying body mass, it might have slowed it down or by the, by the bullet moving through your body it might have moved in a spot to where it might not did that much damage but enough damage to where they could get to it and repair it.

DET. Okay.

No, I've never been shot, well I been shot in the knee. You know. That was years ago. Ya know.

DET. Okay uh, this is your best recollection of the-the incident?

My best yes sir.

DET. Okay and nothing is embellished or left out?

No sir. None, none.

DET. And have you been pressured to say any of this by anyone?

No, only pressure on me is my conscience. And that's it.

DET. Alright.

Uh, if I had no seen the conference by Ferguson Police and listening to these civic leaders get the truth to this point and not actually have it truthfully. But they do telling the truth but they didn't have it quite right. They all saying he was like this.

DET. Hands all the way up.

He didn't have them all the way up, but he did have them all the way up to enough to know this officer knew he was not threatening him, he was not in imminent danger. The boy was not threatening him in any way. He was not charging. He was struggling to stay on his feet.

DET. Okay.

That's it.

DET. Okay, alright.

And I'm going to say it again if he had not fired the last shot, I truly believe he would have lived. And I talked to well you know police officers are trained to use deadly force. I said I understand but I lived down in the city for a while and I saw officer almost in the same situation on Euclid and Maryland and he took the man down with a taser. And he was charging him. He was coming at him to kill him. But he had a taser.

DET. Okay.

And that was going through my mind while the hold thing was going on.

DET. Got anything? Okay if there is nothing else the time is 5:03pm and this will conclude the interview.

Special Agent
September 24, 2014
10:10 a.m.

Special Agent _____ = SA _____
 _____, DOJ = _____
 _____, AUSA = AUSA _____

SA Today is September 24th it's 10:10 a.m. This is Special Agent
I'm here with ah DOJ trial Attorney , AUSA
and we here to interview you could please say your name sir.

SA Okay.

: Okay, so like I said before um, we have gone over my name is [REDACTED] and I am a prosecutor with the Civil Rights Division of the Department of Justice and [REDACTED] is a prosecutor here um, federal prosecutor based here in St. Louis. So we are working on this investigation with the FBI and because we know that you gave an interview with the county police but we didn't get a chance to meet you. So, that's why we wanted you to come in okay?

: Okay.

: Um, and so all your answers have to be out loud because we are being recorded but if you nod your head or shake your head I will just. Um, and I am sure you know this and I have um, no doubt that you would do any different but we just have to let everybody know that if tell some kind of false hood or lie or embellish or exaggerate um, it is a crime to make a false statements to federal agents we want you to know that.

: I understand.

Okay, um and we are trying to get what you know versus what you assume so if there is a distinction in what you are telling us and something is you assumed it we what to know what you assumed versus...our focus is on what you yourself know and heard and saw that day.

Okay.

Um, it's natural that you've heard other things and we may ask you about that as well but in terms of your own observations it's important not to guess and if your guessing to let us know.

: Alright.

: Okay, um, if I ask a question or any of us ask a question that seems confusing let us know because if you answer we are going to assume you understood.

: Okay. Uh huh.

Okay and I know here in the FBI and you came in through security we want to make sure you know it is voluntary so if at any point you had enough and you want to leave you let us know.

: Okay.

'Cause we are not gonna force you and make you stay here alright?

: Okay, no problem.

: Okay, um, do you have any questions for us before we?

: No.

Okay.

SA : Just real quick, I'm sorry. I wanna make sure I have your name spelled right can you spell it for me?

SA : Okay great thank you.

So you spoke to um, county police back on August 12th do you remember speaking to them?

Yes.

: Okay, so we are I'm not gonna go through the whole um, account with you because I know that you are, you already gave that you are going to the state grand jury tomorrow is that right?

: Right.

So I don't want make your rehash the whole thing.

Okay.

: Um, and I are the federal prosecutors not the state prosecutors so we won't have the opportunity to see you tomorrow so that's why um, we have listened to your recorded statement we have read the transcript but we just have some specific questions that don't jump out of the recording 'cause we can't see you.

Okay.

Okay so that is really what we want to focus on.

Alright.

: Um, so there were certain things that um you talking about um, and you when you're talking about you said like do this or do that. Do this and do that doesn't come across in a recording and it probably it obviously won't come across in this recording but in the beginning when you saw the a, the tussle in the car...

: Uh huh.

: ...can you describe for me or show me what you actually saw Michael Brown doing what you saw the police officer doing.

: Well actually as I stated to them from my porch I could only see from the passenger side.

Okay.

I don't know if he had grabbed him or what but you could see them tussling in the car because they were moving around.

: When you say he grabbed him who are you saying...

I don't know if he grabbed him or not.

: I know when you say he who is he?

The police officer.

: Okay.

Okay, 'cause he was walking toward everything when say something to him he must have said something to him and he was approaching that truck then we saw the tussling.

Let me ask you when you said he must of said something to him you mean...

: I think the officer said something to him because Michael started walking towards the truck.

: Okay so that's what I was going to ask you what made you said first when you say he I'm trying to figure out which he you mean.

: Okay I-I-I will make sure I distinguish between the two.

: And then when you said you used the expression he must of said something that's one of those assumptions which is totally fine for you to say that I just want you to explain to us why you are making that assumption.

: Well, I am assuming he said it because he was approaching the car. I mean if the officer tells me to stop and come here I am going there.

: Okay.

Okay I am gonna approach you I want to talk to you I want to find out what is going on.

And that is fine that makes sense.

But uh, we could-I could see them tussling you know and after that is when the first shot rang out.

: Let me ask you just about the tussling more specifically I know you said from what your vantage point was can you describe um, from your vantage point what Michael Brown's position was what his?

He was outside the car door.

: Okay.

: Outside the truck door he was in one of those big a, 4X4s not that 4X4s, SUVs.

: Right .

Ah, he was on the outside an officer was still in the truck.

: And how was Michael Brown's body like, what was...

: He was like-he was li...his head was I could see the top of his head he had a hat on.

: Okay.

: I could see the top of his head and then he dropped down and he had disappeared for a minute. The next time I saw his head was when I heard the shot that's when he popped up.

: Okay.

: Okay.

: Were you able to see from your vantage point whether his Michael Brown's body was bent into the, bent over onto the window.

From my vantage point I could say clearly he was not inside that truck. He-he would, partially maybe his head was right at the officer's head.

: Okay.

But, so far his body being in it, no I don't think I couldn't say for 100 percent accuracy that his body wasn't in it but I am more sure it wasn't

Okay, so you don't know for sure?

: No.

What about his hands?

They were inside.

: (U) so, his hands were inside and just correct me if I-if I say this wrong. Michael Brown's hands were inside the car?

: I believe so.

Okay you couldn't tell if any part of his like shoulders or anything were in it is that fair?

No-no.

: No, you couldn't tell or no, they weren't.

I couldn't tell.

: Okay, and could you tell and you said his head disappeared from view so um, do you not know whether his head...could you tell whether any part of his head went inside the car?

: No.

No, it didn't or no you can't tell?

No, I can't tell.

: Okay, fair enough. Um, and then where you able to see any movements that the police officer was making in the car?

: I could see him jerking around.

Okay.

: I could see his body; I could see his torso I could see from maybe like the shoulders up and jostling around like they moving back and forth like this it was just like there some kind of tug of war or something was going on okay.

: And just because the recording won't pick up what you are doing you are kind of leaning back and forth in the car.

: Right they kind of rocking back and forth um, like they were in some type of struggle.

: Okay.

Okay, that-that we could clearly see that they was strugglin' but I could not tell how much of his body was in the truck I'm not certain how much was in the truck.

Okay, when you say...that was fair.

You're referring to Michael Brown?

: Huh?

: how much of Michael Brown's body was in the truck.

: How much of Michael Brown's body was in the truck.

The officer was in the truck at the time?

: The officer was in the truck.

: And when you are saying what we saw when you say we who are you referring too?

Um, some other family who were on the porch with me.

: Okay that's your brother and your sister in-law?

Yes.

: Um, and was there too?

: Yes.

: Okay, and so um, once the shot rang out and Michael Brown started running how-how soon after did the police officer get out of the vehicle

A matter of seconds.

: Okay was it instantly or was there a slight pause?

It was like a slight pause I say within two or three seconds he was coming out.

: Okay.

: As Michael was running away the other gentleman Mike went one way the other gentleman went the opposite direction.

The other gentleman meaning Michael Browns friend?

Michael Brown's Friend.

Do you not know his name?

No, I don't-I don't know him. Uh, I've seen Michael Brown in the neighborhood he passed me because myself and the other lady we always sit out. Ah, I'm collecting social securities and she is retired. We just sit out and your know we talk he just walks around and I've seen him walk passed 'cause he has a friend who stays in apartment who's just beyond me and he would always come by and say hey ya know, how you doing sir how you doing ma'ma you know how you all doing you know everything else. That's the only contact I has with him other times I may have seen him at the stores in the neighborhood.

: Okay and we a veering off a little but just-just so I don't forget to ask you said he has a friend that leaves near you Michael Brown has a friend that lives in the apartment complex.

I have no idea about that gentleman.

: Oh, I thought you just...

Oh Michael Brown that has a friend that stays out there not the one that was with him I know nothing about.

: I understand that let me just ask you the friend that Michael Brown sees stays with or knows in the apartment complex do you know that friends name?

It's a female um, or fiancé no I don't.

Okay, do you know in which building she lives in?

SA Here is a map if that helps.

I believe its let me get the address I think it is I think so.

Okay, do you know which level?

No, um, 'cause she was on third floor I think she moved down I'm not sure.

: Okay.

Okay I can't say for certain.

: Okay so back to what we were just talking about so, the friend that Michael Brown was with that day we will just refer to him as the friend would that be easier?

Okay.

Okay, so and when you said Michael Brown took off running there was a pause when the police officer chased what was that friend doing?

After he ran he disappeared we couldn't see him we don't know where we had thought he ran around to the side of the building but someone was saying that, and other people were saying ah, from other interviews that I've heard and read that he was actually behind the other police truck that was there. He ran behind this other car.

: Okay, so not, let's not go on based on what you heard or read afterward.

Right-right, so I didn't see him.

: So I just want to know so you so just tell us initially you saw him with Michael Brown correct we are talking about the friend?

Right-right.

: Um, during the-the tussle that you describe where was the friend?

Practically on the sidewalk.

: Okay what was the friend doing do-do you remember?

Just standing there watching what was going on between the officer and Michael.

And from your advantage point when Michael Brown took off running what did the friend do?

He ran the opposite way.

: Okay, and did you see him again?

No.

: Okay um, so when the police officer took off running after Michael Brown can you describe were you able to see his gun?

Let me stop you.

Sure.

He did take off running after Michael.

: Okay.

Excuse me I am have spasm in my leg. Okay, see this is not...this is not showing me anything.

: Okay there is a...

SA This one...I just switched if you don't like this map I will go with this one.

Alright.

: So we are looking at the a...

You are looking okay now this is way in the back I can't tell which one is which right here.

If this doesn't help you then-then you can just draw on a blank piece of paper.

SA : This is Clarion here you go with Canfield west.

Coming from West Florissant.

SA : Uh huh.

: Coming around okay. There is a, this is the last driveway.

SA : Okay.

: This is one right here, okay. This driveway right here okay his friend went toward West Florissant, Michael ran toward the first driveway which is located where the memorial is on the post. The officer got out the truck came around to the back of the truck...

: Okay.

: ... assumed his position like this.

: And you are showing the gun was the gun out in front of you?

: The gun was out like this he had his hand out he was in his position and he told him after the shot he got out Michael when he got shot he ran. By the time he got to the edge of the driveway after he crossed the sidewalk he got on the back part of the driveway he stopped. Michael stopped he was looking at himself to whether to see where he was hit he was doing this but he had stopped. The officer at that time really had come around to the back when Michael had his back turned to him he told him stop but he had already stopped. Michael turned around to face him and he had his hands shoulder high just a little bit about his shoulders but they were out away from his body.

: Okay let me just stop you and back you up a little se...a little bit. So you're saying when the officer got of the vehicle you said he ran around his car and stopped and did not chase after Michael.

: No.

: Um, and when Michael was running away um, the officer was not shooting at him is that correct?

: No, he didn't shoot then.

: Okay.

: He had already fired one shot but when he came around to the back and assumed the position and he yelled at him to stop which Michael had already stopped. When Michael turned around he told him again stop.

: Okay.

Michael took a step off-off the side walk soon as his foot hit the street the officer let loose wham, wham, wham.

Okay and so you are making gunshot sounds.

Right.

: So that initial shot though occurred inside the vehicle correct?

Correct.

: Okay,so you are saying the next time any shots were fired was when Michael Brown was facing the officer is that correct?

Correct.

: Um, and that was after the officers had stopped.

Right

: Um, and then he didn't shoot until Michael Brown made a movement.

Made a movement.

: And the movement was toward the officer correct?

Right, he took a step to the street like he was it looked like he was, you know, he was giving up 'cause that's what we was saying we was there he's giving up he's giving up.

: Okay.

We are looking at him he is giving up but then as soon as he stepped on that street he got his foot in the street he fired three shots.

: Alright, let me ask you about when he had his hands up um, you had described previously that was he was standing with his as you said he hands up around where his shoulders were and that his palms were facing him is that correct?

No, they were like this, palms were facing the officer they were like this when he...okay he's the officer I turn around and I did like this he did like this.

Okay and you are showing you palms are out.

: Right-right.

:

Okay just so that I can understand um, from my understanding when you were-when you previously interviewed by the county police you described that he kinda stopped and like looked down to his right.

When he stopped at the stairwell yes he does kind of look at himself when got stepped off he was still like this but he had his hands up he was trying to see where he was (UI) still tryin' to find out where he was shot to me.

:

How do you...and tell me what makes you say that.

:

Because he looked down to his side.

:

Okay, and you said his right side.

Yeah, he was looking down on this side like that. Yeah, he was looking on his right side so and then he took a step out and he had his hands up and as soon as he took that step and got to the street, maybe about for him he was a big guy mmm he could have made it about three steps.

:

Let me ask you this when he-when he-when he's running and he stops by that driveway and based on your vantage point, you-you think that he stopped 'cause he was-he was looking at to see where he was shot.

Yes.

:

Okay um, so when he did that at that moment he stopped where were his hands initially?

Like this he had them up like this.

Okay, 'cause right...

...he took them away from his body to see he was like looking.

Alright. Alright. So that's a little bit different then what you-what you...

No, I told I said when he stopped he was looking he was like this. His hands were not steady like this but he had 'em up to look at...'cause he was a big guy he had to look and see what was up.

So he was like moving his arms up and away.

Moving his arms to see what was going on.

:

And you-you have your palms sorta facing you like down like he's checking out his own...

He is checking out his own body.

: Okay.

But when he turned to face the officer he was like this he had up palms facing the officer like okay you got me 'cause he had already told him to stop.

: Alright let me just back track a little bit I'm sorry I am being so nit picky. When he was checking out his body were you able see anything on him?

No, I couldn't tell huh uh.

: Was there anything that stood out to you or nothing?

: Nothing stood out to me.

: Okay.

You know.

: Um, and so when he turned around ah, and took that step that's when you are showing us that he had his palms out.

Right. Uh huh.

: And so right after that when the officer started um, started shooting um, what did-what did Michael Brown do?

After he fired that first rou-that first volley he hit him he started staggering he first kind of went back like pow from the impact.

: Okay.

He stepped back and then he started staggering and he was looking at the officer and as he brought his head up he looked down like oh God I've been shot and he looked up to the officer and he was looking at him and he was staggering like we was trying to stay on his feet and myself and my family was telling him stop dude stop-stop-stop.

: You were actually were you actually saying that out loud, stop? Were you yelling?

We were saying he couldn't hear us from the you know from where we live.

: I know but, I know that he couldn't hear you but were yelling it in hopes that he would hear you?

Hoping that he would here us but he was staggering and we could see that he was staggering and he took about I don't know three or four more steps but as he was taking his steps forward at that time the officer took a few steps back he was still in his spot when Michael took the other steps and he was staggering trying he body was like. Can I stand up please?

: Yeah.

SA Yeah absolutely.

Okay, when he was standing up he was shot he was leaning like this but his head was like this.

: So you are showing...

He was standing up staggering he was trying to stay up on his feet...

: Okay.

... like this and that's when we were yelling at him man stop-stop-stop 'cause my sister in-law said, she said oh God he is getting ready to kill him he is getting ready to kill him and then no sooner he said that no sooner than those words came out of their mouth he was going down it looks like he was going down and he let off four more shots wham, wham, wham, wham.

: Okay, and when the-when the-when the officer was shooting that is when the officer was coming toward him is that correct?

Right but he was not charging him he was defenseless hands up he was trying to stay on his feet and you could see that his knees was beginning to buckle and he was going down. When he shot him as he was going down he hit face first splat.

: Okay, where is his arms when he fell to the ground? And you're showing his arms at either side of his head?

They didn't when his body hit when I ran, I ran up there his arm one was like I can't exactly tell on the body, but one was like this when he hit down I guess they moved when he hit the ground but he was dead on the way down.

: And when you, I know can you picture where his arms were on the ground?

Probably like...

:

I don't want to guess if you don't know I just want to know ...

I know I can't for sure.

:

Alright.

I am trying to picture it but tell you the truth I didn't really want to see it you know because when, it was that when-when got, ran up there and I saw who it was I'm like oh my God I just saw him earlier this morning.

:

Alright so let me ask you about that in a second but let me just clarify, so you saw two additional, two volleys of shots after that first one correct?

Right.

:

And each time the officer was firing Michael Brown was coming toward him?

Yes.

:

Okay and at no time did Michael Brown say anything correct?

I could not tell or hear if he did say anything.

:

You didn't hear him yell um, don't shoot?

No, I didn't.

:

But you were able to hear the officer say stop?

Oh yeah he was very-he was very loud .

:

Um, you didn't hear Michael Brown say anything like okay, okay , okay?

No, I didn't hear that.

:

Okay 'cause...

I'm...listen I'm dealing with two very excited and this is the first time s seen anything like that and is right here arararar.

:

You are saying talking in your ear.

Right.

But I just wanna be clear. You were able to hear the officer?

Yeah, oh yeah.

: And you-you didn't hear anything from Michael Brown?

No.

Um, and you didn't from your vantage point you didn't see his mouth moving as though he was saying anything is that right?

My eyes was really focused on the officer because when he started moving staggering forward I wanted to see what he was getting ready to do because everybody was like he getting ready to kill him.

: Okay.

So, I wanted to see what he was getting ready to do but Michael was staggering you could see him clearly staggering you know and then when he started like he was going down he fired again and that's when they said oh my God they just killed him.

Okay, I just want to be clear you just said when this was all happening your-your attention shifted to the officer correct?

I could still see Michael but I wanted to see what he was gonna do I had both of them in the line of sight.

Okay is it fair to say that Michael was more just based on what how you were describing it in the visual you just gave me is it fair to say that Michael was more in your peripheral vision at that point.

Both of them.

: They are both in your vision.

From my-from my vantage point I can see both okay but to say, and I'm trying to make this as clear as I can.

I know you're doin' fine.

I could see both of them but as Michael was staggering toward him you know trying to keep his balance as he was moving forward we could see I could see the officer stepping back. When he took them steps back and as Michael was just staggering forward like oh my God that when they said he was getting ready to shot him and sure enough as soon as they said that he let loose alright.

Okay.

: That's when you are all yelling stop-stop-stop like you wanted Michael to stop.

Yeah, we wanted Michael to stop 'cause we-they anticipated in a split second that he was getting ready to kill him.

: Let me ask you this ah, on August 12th you'd ah, I just want to take you through what you said at that time. Um, you said ah, as he faces the officer and this is detective asking you this and as he faces the officer you say that his hands go up to a point where, and you said ah, about to his shoulders almost.

Right.

Okay, and that's when he has palms sorta facing himself and he is looking over his body?

When he got first shot and he got to the side...to the driveway his hands were up facing himself 'cause he was like looking at himself.

: Right. And let me-let me take you through...

When he turned around...

Uh huh.

...he gave up.

: Now, let me-let me...

His hands was up to his shoulders.

: Okay. Let me just (UI).

That's when he went up face-facing the officer.

Okay.

Okay.

Okay and you went on the say ah, back on ah, August 12th um, Detective says your arms are like palms up hands and fingers are roughly shoulder height is that fair enough to say you say yeah about close to his shoulder you agree with that?

Uh huh. Yeah-yeah.

:

And, with his palms facing towards himself.

They're like this...no they're not turned the hands are like this.

:

No, I'm talkin' about-I'm talkin' about...

There not...excuse me what you saying the hands are pointed toward him they were not I didn't say they were pointed toward him. I said his hands were like this I described it.

:

Okay

I didn't say they were pointed toward him the only time I said that his hands was anywhere near is when he first got shot when he turned they were this way.

Alright but, I know, let me just take you through this okay and then, um, just see if you agree with this. On August 12th, Detective asked you your arms are like palms up and hands and fingers a roughly shoulder height is that fair enough to say and said yeah about close to his shoulder (UI).

Right

:

Right? Okay.

Uh huh.

:

And ah, and he asked you they are out at somewhat of an angle ah, would you say a 35 to 45 degree angle from the body about like this and you got the palms up right?

Right like that.

:

And um, you say he is standing there he looks he looks down looking at his body that's where you are saying today he was looking to see, you thought he was looking to see if he was shot.

Right.

:

Okay and then um, after that you go on to say that um, Detective asked you Michael Brown is standing facing the officer at this point with his hands at his rib cage ah, and you say yeah and Detective says hands palms up like at his rib cage and you say uh huh. Does that sound right ?

Right.

: Okay so on-on basically when Michael Brown this is what he asked you Michael Brown is standing facing the officer at this point and he has his hands at his rib cage and you say yeah. Detective says hands palms up and you say uh huh and that's the way you recall it today?

Yeah.

: Okay, and you go on to say or Detective ask you and he was looking down at his body at some point 'cause you had already told him he was looking down at his body. Detective says and he was looking down at his body at some point and you say right, right uh huh, okay alright that's the way you recall it?

Yeah.

: Okay... just to be clear to we, when you talked about when you-you thought that the officer must have said something to Michael Brown because Michael Brown then approached the vehicle that's when you saw the tussle. So you actually saw Michael Brown come to the side of the vehicle he approached the side of the vehicle?

Right 'cause he wasn't that far from it.

: Okay.

His friend was still, when he looked around Mike-Mike was still in the street. His friend had backed up okay his friend had actually...

That's when he goes (UI) the sidewalk.

Took steps back, yeah.

: Took the steps back right.

Yeah you know.

: And let me ask you this had asked you this a little while ago about and you were sort of were very clear about where everyone was but she had asked you about when the officer went after Michael where was his gun at that time or could you see it and you-you corrected her and said well he just went to the back of the vehicle and assumed his stance

When he came out from around he must have had he must have already pulled it out of his holster as he was coming around.

: And that's what I am wondering did you see that could you see where the gun was before he assumed his stance?

It was in his hand then he brought it up like this.

Okay, before he brought it up in his stance it was in his hand?

It was in his hand.

You are directing down by his side?

Right he was pulling it out and as he came around so he can get a line of sight on Michael then he just he whooped-whooped his hand up gun already in his hand put it in his palm and aimed.

: And, shortly after that he said stop.

He said stop but when he said stop Michael had already stopped.

: Uh huh.

When he turned around he said stop again. When Michael took the other steps and he came out he said stop.

: Uh huh.

As he hit the street after he said stop so he fired. That's when started staggering around like he got you could tell he got hit the way his body jerked okay and as he was coming forward trying to keep his balance I guess to keep from falling he couldn't stand he was trying to get himself in a position I believe so that he could stand up. But, as he took those steps the officer took about two or three steps back as he did that at the same time, and he yelled stop again Michael was you could tell he was about ready to fall 'cause at the angle of his body...torso practically straight, knees wobbly but the torso was like I wanna say a 45 degree angle his hands had slowly be coming down.

: His hands was coming down?

Right.

: And he was-and he was bent toward the officer?

He was bent toward the officer.

: And I...let me stop you there real quick on August 12th again I wanna just take you back to what you said and Detective asked you where you describe exactly at this point Detective...what asked you and where are his hands at this point? And you say after he hit him with the three shots they were down.

Right.

: Detective says okay where at and you say down beside his body like this.

Right.

: And then he says you are basically putting your hands down at your side and you said, yeah they were like... they were limp.

Right.

: Is that... and that's the way you recall it today?

Right, right.

: And that was after the three-the three shots, correct?

After the three shots.

: 'Cause they were going down.

Yeah, 'cause he was hit and as he was coming forward he was trying to- to maintain his balance and I know what it is I've been shot alright I've been shot in the leg so I know how hard it is to try and keep your balance and-and I have to make this perfectly clear. His torso was straight, knees wobbly, but his upper torso was bent like he was...and he was still he kept his focus on the officer.

: Okay, so-so to be clear his from your vantage point and don't want you to, I mean, I get that you said you were shot so you know how it feels to be wobbly but from what you can actually see Michael Brown um, was focused on the officer correct?

Uh huh.

: He was bent forward correct?

Uh huh.

And that's a yes?

Yes.

: Okay and his arms where going to his side...

Right.

...at this point.

Right.

And he was moving toward the officer?

Right, very slowly and wobbly.

: And the-and the officer had said stop?

Right.

: And at that point Michael Brown hadn't stopped is that correct?

He, it looked like he was falling he was staggering-he was staggering trying to stay up okay. He was shot this gentleman was-was-was hurt. He was trying to keep up on his feet. He wasn't going toward the officer to try to get to him he was trying to stand up he was trying to maintain his self but you could see his body was trying to give out on him and at the angle his body was when he was, we told him that to stop the last time when he was looking at him and that's when the comments were made he's getting ready to kill him and no sooner they said that he was goin' like this his body was coming like this 'cause he wasn't even looking and he fired that's the only way he could have hit him in the head the only way. He was already on his way down the man was unarmed you have already put three to four shots in his body. Grant it he's a big boy, but he was hurt. He was hurt.

: And this was-and this is the point right before that-that final shot you referred to which (UI) all are still are still trying to tell him to stop.

Right-right and then when he-he fired off that last volley he hit down face first I've got who never seen anything like that in life, my sister in-law is going berserk, my brother and I look we didn't even see the other officer 'cause he had just moved away. Ah, we...then our focus, my focus is so, when I got and he got his wife we got took 'em in the apartment, got calmed down. I came back out I left and I ran up the street 'cause I wanted to see what happened. Not what happened but to see him, you know, just for some visual reason I wanted to see the body. And then as I got there close and I saw his face I knew who it was.

You talked before too about that point people started coming out from everywhere.

From everywhere.

: And can you tell us about that what was going on there at that time?

They all...they running out the...I could not from my vantage point I could see every apartment on the opposite side of the street um, the gentlemens who were working 'cause I was at my-my apartment in my bedroom window I can see them at the apartment that they are working on. And then I'm watchin' them 'cause they out there making a lot of noise. But anyway ah, but from the front of my house I couldn't see them but I knew they was there. I knew they were there...part people on my side and my street no one was there. The immediate apartment building where he was shot I couldn't tell if anybody was up there. As far as the apartments that are all the way in back of the driveway where he was-where he was stopped at where the memorial is I didn't see anyone on this side of the street in my sight now the other part I can't see them.

:

Just tell me about when you went out there, you know, you mentioned people coming out from sort of everywhere from the back of the complex there and what were you...

From the side of the complex the back of the complex from everywhere they were everywhere.

Yeah, and you talked about on August 12th one reason you came forward is your own conscience that you wanted to make sure the family got the truth about what really happened.

Right..

:

That's why you decided to come forward. You were concerned about things other people were saying what were you concerned about?

You have to understand out there they were looking for anything um, majority of them that came running out ah, from the other sides and the back there was three or four gentlemen that run out. They awe, yeah, he had his hands up like this.

:

Like straight up in the air?

Straight up in the aire.

:

With his palms facing the officer?

Yeah, hands up like-like-like and we're are standing there like no.

:

And you knew that wasn't the case?

The gentleman that was beside us the workers "No"... we knew that and then you could see, it's you have to understand the mentality of some

of these young guys they have nothing to do. When they can latch on the something they embellish it because they want something to do. This is something they giving the okay now we got something we can get into. I've lived out there off and on for years. The majority of them do not work. They all they do is sit around and get high all day. Okay, that's it and just talk stupid and they had that there and then when we were standing there someone at the top of the hill I had gotten back to my porch. Someone at the top of the hill my brother, my sister and sister-in-law and was back on the porch when I came back. Fired off some shots the officers heard and they started running okay. Everyone that was on the other side of the street started pointing where did it come from everybody started point we had two people never seen these people before in my life in the whole time I have been out there and I sit out there a lot. Came up threatenin', hey ya'll better not say nothing ah, you'll snitching and all...now see that upset .

: Did they say this to you and

That's...they were talking...I was looking at the officers. was standing there and I happened to turn when said it, I'm like what? What? Ya know, and I thought wait a minute I said turn around everybody was still doing this but and this other girl had made a point to say something to .

To

Right.

: About not snitching?

About not snitching.

SA Two females?

Yeah.

: And-and...

So I'm like wait, what and I'm like and I told the girls I said what...I tell what ya what, you'all, in a very derogatory term, turn around everyone is pointing that way, ya know. For three days I had to deal with because that just shook to the core not used to anything like this.

: Can you explain this, 'cause I'm a little bit confused, what prompted these girls to come over to you and ?

Because everybody was pointing-point, you know where they heard the shots I was pointing. They say where they come from and I say right up there.

: Okay. Oh being... 'cause you were telling the police what they were talking about.

Right but the thing was the whole crowd was pointing up to the top of the hill and I'm like wait a minute, they singled out and

: I understand okay.

Okay, so the thing is the reason I just, really come to say certain things was because I got to protect I don't care. I'm sorry that happened to Michael Brown. I'm sorry for his families loss but I have and that's number one. I don't care about nothing I really wasn't going to say anything I really wasn't because I got to protect scared was scared for three weeks was scared.

: let me ask you this before when you were just talking about the people coming out and having to talk about the hands up in the air you said there were workers nearby you were saying that he put his hands in the air?

Oh no-no-no they didn't say that.

: What did they say?

They said the same thing I said and my-and my brother that his arms were shoulder length about just above his shoulders.

: Can you describe these workers?

They are working out on a, they are plumbing, some plumbers.

SA Like what they look like physically?

Ah, younger white-haired gentleman and an older one.

SA Both white?

Uh huh.

: But they were-they were actually there with you correcting all these other young (UI).

No, I-we everyone did that, alright? It wasn't until a couple days later 'cause he and ya know, he-I saw him when I was out there watching everything goin' on. I saw him talking to a couple of officers and he was talking to a plain clothes detective and ah-ah Ferguson officer I think. I'm not sure. I couldn't see but I know he had a blue shirt so Ferguson wears blue shirts so I assume it was a Ferguson officer. And the other gentleman was in a suit and ah, he was talking to him. The other, the younger guy he was like awe, he was going nuts, you know, but the older gentleman was talking about what he saw a few days later 'cause he was coming around (UI) he had to do something on every building he was on and ah, he just happened to mention it. He said yeah, no, said everybody out there was talking about the poor man had...man had his hands up in the air he said I didn't see that he said did you see that? I said no I didn't see that so the young guy say he was with him and said I didn't see it either.

These are the two white workers that you're talkin' about?

Right, and they...

: They were back there a few days later and talked to you personally (UI).

Yeah they...no, they didn't talk to me personally I mean (UI) of conversation but they were working on my building.

: But you were there and had that conversation?

Right-right, ah, me and the lady was standing there and he come down there and he was working on the pipe oh I was barbequeing and that's how the conversation started and ah, we got...he said (UI) she said oh, (UI) shook up and everything else about the incident. Um, he said but it got crazy and all these guys over there and everybody running around talking about the man had his hands all the way up in the air he didn't. He looked at me and said did you see he said I know you saw it didn't ya? I said yeah. He said I ain't...did you see what I saw and I said yeah. He didn't have them all the way up and both went same time same position okay young guy quit that day. He said I am not coming out there.

: And you said there was a lady there with you during this conversation?

Older lady. She didn't see the incident though.

Well, who is she?

She is the downstairs neighbor.

Was there any other conversation with them that day about this?

Mmm no, huh uh. He did-he did all he had to do was connect the pipe. They-they had missed-missed a connection on a pipe and then we got to talking about barbequing then we started talking about ah, we would start talkin' about other things he said he live in County. He's talkin' about how bad it is down there, ya know. He said nah, I go thee. Ya know, (UI) stuff happens everywhere.

: Everywhere.

You know he said but this is, he said this was crazy you know and ah...

: Did he have anything else to say about what was crazy about it or?

Ah, no it was just the way people reacted.

: And lets go back to that 'cause you-you first started talking about the two white workers that were there when you-when you first came down.

Uh huh.

And people were coming out and sayin' all kinds of things and you talked about how talked about people talking about him having his hands straight up in the air and you said...kinda said no that's not what I saw. Maybe I-I misunderstood but did you say also that the workers were down here at the same time saying no I didn't see that either?

Uh, no he didn't say that at that time.

: Okay.

Alright.

: When I came down that's after the shots were fired and everything else, I came back down 'cause it was...the crowd was it grew in a split second. So I walked down to the edge of my driveway and I could look over to see the building 'cause I can see the building they're working on from my bedroom window. And ah, they- he was talking, as I said again, he was talkin' to a detective 'cause hi s car was parked up on the grass on my side of the street and another officer in uniform had on a blue shirt. I didn't see the insignia but I'm just saying because, ah, Ferguson wears that type of color that it may have been a Ferguson officer that I had not talked to that man at all that day.

: Okay.

I did not speak to him.

: Alright, let-let's back up a little bit then um, when you come down and there are people saying things that-that you didn't see...how quickly after those last shots were fired was that happening I mean where people were actually saying things like that?

After he hit that ground I would say it took at least about a minute.

: Okay and that's when the crowd starts to gather. You said it was like an instant.

In a minute-in a minute maybe 20 or 30 about two minutes then three minutes it leads to be about 70 or 80 big group.

: Alright. And this...not-not just the crowd growing but people talking about saying things that didn't happen.

Right, right especially they started embellishing it when the stepfather showed up.

: When I'm sorry?

The stepfather.

: Okay.

: Oh, the stepfather.

He was the first one that I later found out he-I didn't know he was the stepfather until a few minutes later when he approached the...they had started to put the ah, what'd you call it...

: (UI)

...tape up.

: Okay.

And he was trying to get to him. You know, oh my God ya know, yeah, he was screaming and hollering.

Right.

And the officer's trying to calm him down then I saw his cousin a little girl she has blonde hair, ah, she ran up the street they all came from Northwinds running up that's where the majority of the crowd came from.

: And when you said they started embellishing what did you hear?

Oh um, the officer ran up behind him shot him in the back.

And that's not true?

Not true.

: What else?

Um, he ah, he had his hands straight up in the air, not true. Um, then ah um, some guy I don't know who in the heck he was we never seen him before was um, I don't know where he came from he came out of the blue um, he was coming out saying, ah, that the office...that Mike had reached in and got the officer's gun out of his hand, not true you know. Ah...

: You had mentioned on August 12th that um, after that it was everyone started coming from the back saying oh my God he had his hands up in the air telling him don't shoot-don't shoot-don't shoot and you said he never uttered a word.

No.

: Right, referring to Michael Brown?

Right, that I could hear.

: And then you said...

That could hear I couldn't hear.

: Right an then you went on and you said that's when everyone come back and all of them started saying things like oh, he was on his knees.

Yeah, that's another thing.

: And when he shot him, he shot him on his knees.

Right.

: And then they came by and they said oh, he was laying down and the officer shot him in the head.

No, that was false.

: None of those things happened?

None of those things happened, none of those things.

:

I also wanted ask you what you said earl-earlier on when we were talking, you said you saw Michael Brown earlier in the day before this happened.

Uh huh.

Can you describe your interaction what you saw?

Well, me and the lady was sitting outside, ah, I'm sitting on the steps she is sitting in her chair at the lower level and he come up, ah, steadily going to-to the driveway he cuts-they cut across the grass right there.

:

When you say they, was he with the friend he was whole during the incident?

No, he was with some girl. I have never seen her before either and he came through and he said how you doing sir how you doing ma'am. I said oh, how you doing? He said you 'all doin' okay, yeah. He said alright, it looks-looks like it's gonna be a good day alright and he walked up.

About what-about what time is this at?

Hmmm, about, pst, it was early-it was early. I don't know it's around about 8 :00 I think, somewhere after 8:00.

:

Okay, did you see him at all that morning before this incident?

Next time I saw Michael he was laying in the ground on floor in the street.

:

Have you seen that girl that he was walking with have you seen her since?

I think I have. I can't say for 100 percent sure 'cause I wasn't paying to much attention to her, you know, 'cause he was talking to me. I'm looking...you talking to me I'm looking 'em you in the face.

:

Do you know her name?

No-no. Huh uh. I don't know and I don't want to.

Let me ask you this...

Don't wanna know anybody else.

Well, and let's talk about that. You talked about the things when the crowd grew and -the the young guys who were saying things that weren't true. On August 12th you said something about this and I just want you about it. You said by living out there if you go against what they are saying I think they might nut you up go crazy what do you mean by that? What?

They had it in they mindset of what happened. They are set they are looking for a reason to explode, that's what they, 'cause they don't have anything to do.

Why-why are they looking for a reason to explode?

They got nothing else to do they running all day they're drinking and- and getting high all day we see this all the time. We have been on-on-on Canfield Green Apartments management to get all the drugs out of there. Okay all the time Northwinds got so bad they put gates up and when the gates are up the crime went up.

: Okay, so if-so you...

Ya know, I don't trust anyone out there either they all walk around there with their pants below their butt and everything else with no t-shirts on and they-and they so strong they will stand right there in front of ya and roll this stuff and I've had to run two of them off my porch who came and sat on my porch while inside I came went...alright, we been to the doctor's office (UI) they sitting on my porch in my chairs rolling up their blunts. That's how it is and if they strong enough to do that and they feel you are going against them...huh uh, no I got that I gotta protect.

So, what-what happened to someone who went against them?

Oh, shoot they jump ya. They'll jump ya.

: Do you think that's the general feeling there if-if people were to say something to us or the local police different than what they want to be said do you think there are people that are scared of 'em?

I think now as its getting longer in time the majority of 'em in our neighborhood my community my immediate community want the truth. It's the outside forces that are coming in. When they burnt that thing down yesterday, 80 percent of the people were from the city not from there. Cars were coming in parking lots were full. That lets us know immediately this is not Canfield this is not Ferguson.

: And when you mentioned that-that burning down yesterday are you talking about the memorial?

Yes.

: Did you see that?

Oh yes.

: What did you see?

I was standing outside in the morning I come out every morning step out. I like to smoke a cigarette outside. I stepped outside there was ah, white car and a red car I mean a white and a black car I'm sorry sitting there a grey dark grey charcoal car pulled up it wound up three of them. The first two like they were taking pictures, in fact, a girl was in the white car and she got out and stood on the driver's side and took a couple pictures got in. And, I saw those two drive off. The charcoal grey car pulled up beside it. I say oh, then I had put my cigarette above my ear...I left it on the kitchen counter. So, I walked in and I got it. I came back out I lit it and I walked to the other side of the porch just to look around I like to look around see the cars see who is out and everything else and by the time I reached my door step my door...my front door he gunned it or she gunned it or they gunned it and the car peeled off I mean peeled off. The next thing I know is whoosh.

: (UI)

It-it just blew up it wasn't no slow flame it just whoosh.

: You're talking about the memorial .

Yeah.

: Okay, did you see anybody go over and do anything to it?

I didn't see anybody they could have done anything from the car window they could have through something out on it. But, that was definitely to me an accelerant because the way the fire went up. I mean it just went whoosh. It wasn't a slow burn I mean they talking about a candle most of that stuff was wet most was wet.

: Okay.

Most of it was wet.

: Do you wanna take a break?

: Take a break?

: Do you mind if we take a break for second?

No.

: Okay.

SA (UI) mark on the map a little bit. Alright, we're gonna leave this running unless you want me to turn this off.

You don't need I don't talk to myself.

SA Okay.

So you can turn it off.

: We will be back in just a minute.

Okay

: Thank you.

START BREAK 50:17 END BREAK 59:36

: Alright I don't think we have much we won't take up a lot more of your time but we just have a few more questions for you okay?

Okay.

: Um, my understanding is before we took the break um, you talked about one concern you had after the shooting occurred people coming out and saying things that you knew were not the case based on what you saw is that correct?

Uh huh. Yes.

One of those things is these-these young men coming out and sayin' that ah, that Michael Brown had his hands all the way in the air like in surrender at the time that-that the shooting was going on is that correct?

Right.

: Alright and you didn't see that?

I did not see that.

Okay, and I just wanna clarify that um, let me if I could um, I-I referred you to some of your statement on August 12th and I just wanna make

sure that I understand ah, your statement then and now okay and if you like I have another copy here you can refer to if you want to or I can just read you these portions to help you. Is that fine?

Go ahead. Fine.

:

Okay great. On the...at the bottom of page seven you'd said um, you're referring to Michael Brown you said that he had like one foot on the grass and one foot on the driveway which you told us today. And then he turned around and he-he was like this so that is why people thought he raised he hands and that's...I think you are talking there about people claiming he had his hands raised but you said that he did something like this and is that when you were referring to him looking at his body?

Looking at his body...as she stated earlier about embellishing. They embellished it.

Okay.

He had 'em up but they want to...but to make it clearer that he was giving up they went from one which is what I saw to something that they probably assumed he did...

Uh huh.

... and stuck 'em straight up in the air.

Right okay.

Okay.

And so when you were demonstrating then he turned around and he had his hands like that like this so this is why people thought he raised his hands. You're talking about when he was looking at himself trying to determine if he was injured?

Right.

Okay and um, you said you went on page eight um, you said he looked down and then he did this and he looked at the officer and he walked he took about three to five steps. He hit him again pow-pow-pow. Alright so you were demonstrating there again and then as you went on ah, Detective made an effort to kind of narrate the way you were demonstrating on the tape do you recall that?

I believe so.

:

Back on August 12th when you were demonstrating for him he was narrating back to you so that it would show up on the tape you recall that?

I believe so.

:

Okay, and on page 17 of your statement you said as he faces the officer...ah, strike that Detective asks you as he faces the officer and you say uh huh, you say that his hands go up to a point where and you say to about to his shoulders almost. And then we go on to ah, page 18 and you say like this and Detective says kinda raised and you say he had his hands up like this and of course you can't see that on the tape so the detective...

Right.

:

...narrates and he says your arms are like palms up and hands and fingers are roughly shoulder height is that fair enough to say you say? You say yeah, about close enough to his shoulder yes, uh huh.

Not in the position you go it.

:

Okay well.

When I tell ya, I said it like this not like this.

:

Okay with palms up.

Not-not like this. They were close to the shoulder yeah, but they were not above about shoulder height.

:

About shoulder height.

About shoulder height.

:

With the palms up.

But his hands were out.

:

Uh huh.

Away from arms out away from his body he like not like this.

:

So I had my arms to close to my body?

:

Right his is out like this and away.

:

And his palms were up?

They are away from his body not like this-not like this-not like this.
They're away from his body.

And detective...

This is my shoulder length this is exactly how I showed him.

Okay .

Okay.

With the palms up?

The palms are up.

Alright.

: (UI) nothing in them I got nothing I'm giving up.

Okay, and you say that they're about close to his shoulders and Detective says they are at about somewhat of an angle and you say what would you say a 35-45 degree angle from the body and you go on to say on page 18 he is standing there he is looking he is looking down at his body and he looks up at the officer you say he looks up at the officer who had by this time was standing facing him after he turned around in his position. On page 19 you say um, Detective asks you Michael Brown is standing facing the officer at this point with his hands at his rib cage so know his arms are further down his hands are at his rib cage?

After the shots.

Okay.

: Someone left out it was after the shots.

Well, let's-let's make sure.

SA

The first volley of shots?

After the first volley of shots his arms came down a little bit 'cause he was staggering and it was like he was coming as he-as he got hit like oh shoot he was staggering around. Alright, they had to come down a little bit they were coming down. I didn't say they were at his body I didn't say they were next to his body he asked me a question I showed, demonstrated as he said something that his narration is not what I showed okay.

:

The narration is not?

I told his...whatever he wrote down or he-he stated, yes. But his depiction of what I said what I showed him is incorrect.

:

Well, now he's-he's narrating to you let me just-let me just finish going through it okay and then we can talk about it.

Alright.

:

On the bottom of page 19 Detective says Michael Brown is standing facing the officer at this point with his hands at his rib cage and you say yeah. And Detective says hands palms up and so they're at his-at his rig cage palms up. And then you say well, they weren't up against his rib cage it was out 'cause he was looking down.

Right.

:

Slightly away from his body.

Uh huh.

:

And Detective says and he was looking down at his body at some point right, and you say right-right, uh huh. Then you go on to say on page 20 um, Detective says is anybody saying anything at this point and you say the officer when you look as he raised his head he told him to stop. So as Michael Brown raised his head to officer told him to stop is that right?

Right.

:

And as he asks Michael Brown raises his head as he raises his head he says stop right there. He asked you the officer says this and your response was yeah he did say stop...

Uh huh.

:

...and when he left from that fixed spot then he was walking toward him and he asked you towards the officer and you say towards the officer. When he as soon as he put his foot on the street he hit him three times and he asked you like how many steps do you took before the officer fired and you said big boy as he didn't take that many steps I really couldn't ah, count yeah and so that's the first volley that he has his hands down near his ribs at the time of the right volley.

Right-right-right.

: Okay I just want to make sure of that.

Uh huh.

: Now, and that's the thing that's why I wanted to ask you about this sir is, you know, there were ah, three or four times where Detective or you went back to the when Michael Brown turned around and where his hands were and on August 12th I mean, there wasn't any mention of him having his hands up with his palms facing the officer or of course all the way up (UI).

I didn't say, I said when he hit he turned his hands was up he was looking down to see where he was hit.

: Uh huh.

When he... when his back was turned he was like this as he was turning around still looking then when he faced the officer there they were.

SA Above his shoulders now?

No, right that's right by his shoulders .

: On the 12th you always described him as having his palms up toward the sky right?

I didn't say...no, I didn't not say point to the...I say his hands were up like this I point out I did not state palms toward the sky.

: Alright-alright well...

If he wrote that ah, sayin' that in there no-no-no-no-no-no-no... I never said pointed up.

: Well, and this-this isn't something he wrote though sir I mean.

I didn't say pointed up toward the sky.

: Detective asks your arms are like palms up and hands and fingers roughly shoulder height is that fair to say?

Is this up? Isn't this up?

: Well, yeah palms up right?

Is this up? If I got them down like this down this is my depiction of up not like this. This is my depiction.

: Alright, well one thing that concerned me is that people were coming forward saying that he had-had his hands up...

Above his head.

: ... above his head.

Like this all the way up.

: Alright

He didn't.

: But consistently as its described on August 12th you have your palms up right? And not facing towards the officer but palms up correct?

Like, when he turned and faced the officer, his hands was in this position.

: Okay, were those palms facing the officer or were the palms facing up?

This is what I consider up.

SA So you consider this up?

: We need to be able to describe it for the tape that's-that's what I need.

SA So, this is facing forward, to clarify?

Well, if they went up to facing forward then not like this...

: Alright, (UI)

... like they were facing him. His hands up like this is my hands.

: Okay.

My palms are facing the officer they weren't like this pointed toward the sky they were pointed toward him.

: Well, and that-that's what I wanted to ask you is because on August 12th I mean you never said anything at anytime about his palms actually facing the officer.

I said his hands were up. I never said his palms was facing the sky. I said his hands were up about shoulder length arms out away from the body that's what I said. I'm gonna stick that, 'cause that's what I saw okay.

: And then before the first volley though his hands are coming down toward his rib cage?

Yeah, he was looking for 'em he is still looking like just searching to see where he was shot his arms were like this.

: Alright, and now you have your palms sorta facing toward yourself is that right?

He is searching his body and looking at his arms and everything to see where he was shot.

: Alright.

When he turned around and faced the officer I am gonna say it again. This is what I saw his hands were up shoulder length palms facing the officer not up toward the sky. That is my definition of palms hands up okay now when the people are out in the street and they was demonstrating they say hands up... they're like this; not like that; but they're like this.

: Their hands straight up in the air?

Right-right.

: And that didn't happen?

No.

: Okay, and but that's and just to clarify there, you were then demonstrating that after he turned around his hands come back down toward his rib cage and you were demonstrating and I wanna make sure this is just clear for the tape okay if you don't agree with what I say then correct me.

Uh huh.

: And-and I know that you will.

Uh huh.

: When his hands come back down you are demonstrating that palms are then sorta facing towards himself as he's looking at his body seeing if he's injured is that right?

Right still looking. Yes, he's looking again.

And that was ah, immediately before that first volley of shots?

Right.

Okay, and that was at the time that the Officer Wilson was saying stop.

He had already stopped he was looking and as he turn-he was turning around he was still looking the officer said to stop he was turning. Okay, you behind me he is doing this coming around as he is doing this my back is to the officer he is looking at his body like this and just as he started turning the officer said stop and he was still looking and then he looked up and when he called looking at the officer his arm proceeded to go out like this palms away from facing the officer arms away from the body palms facing in a I give up stance I give up. The officer again said stop he wasn't moving he took a step out. When he stepped out on the street his hands was still in the exact same position palms facing the officer arms away from the body and he shot him.

Now you-you-you now you just said though that before he shot him before that volley his hands had come back down towards his rib cage.

He-he came down right he still turn around before the shots he looked up and as he faced the officer his hands went up he was still doing this as he was turning looking at his self he was checking his body out to see what was going on. As he turned I'm looking, I'm turning, I'm lookin' his hands like this.

: You got your hands, your palms toward I just want to make sure for the tape.

Away from the body yeah palms are facing like this.

: Palms are facing towards his own body?

Okay I am looking up I see you. You the officer his arms went up that's what I demonstrated to him as I was standing there. Okay now he asked me a question yes hands was up that's it. This is what I say hands are up not this. Every depiction of everything what these people are doing are out here in the street so far as (UI) and t-shirts hands up no palms up.

: Hands...the hands straight up.

Right.

: That's what they are saying.

My definition and what I saw was his hands were up like this the same way.

Shoulder height.

But only they were here.

Alright, but if I understand correctly from what you said today and what you said on August 12th is then he then takes a step or two forward off that curb...

Uh huh.

...the officer was saying stop again.

Uh huh. Yes.

And at the time of that first volley his hands had come back down towards his rib cage where he again is looking to see if he's been shot and then the shots happened.

(UI) He had already had then down as he turned he started to face the officer his hands were up. They didn't come back down again until till the volley was shot fired.

SA

The first volley?

The first volley.

SA

So, I just, I know we went over that at length so now, so let me...tell me if I'm demonstrating right so he's running away stops he is like ah, looking around seeing what is going on. He turns over this shoulder or you just...

No, turn around-turn around like turn you back to me. Now you looking at yourself.

SA

I'm looking at myself okay.

Right-right, uh huh. And you, now slowly turn to me doing the same thing.

SA

Like this way over this shoulder.

Right, whatever and then as you turn and you look and you turn around and face me then your hands go up like this.

SA

(UI) A round of shots come off and his hands are still here.

His hands are here and then he stepped forward stop.

SA As-as he's turning around he does...he going like this does he take a step forward?

As he did that he took a step forward he said stop but his hands-his hands was up.

SA Okay.

By the time he said-he said stop.

SA Stop.

He took a step he was out in the street when he-when his second foot hit the street bam-bam-bam.

SA So that's the first and then where do his hands go, 'cause it's kinda like he starts?

Down like this.

SA Just kinda doing this.

Like this-he's like this. They moving down.

SA Now, if he's kinda doin' this...

(UI) he got hit it was like this

SA And, I think you showed it was kinda like around.

Yeah, he was like wobbling awe, oh God and then he stopped. And as he was com-he was staggering to stay on his feet I'm staggering to stay on my feet you the officer...

SA Yes.

I am staggering to stay on my feet and then I raise up like this my hands are still right in this position.

SA Okay.

Alright, I'm staggering I am falling forward I am definitely just staggering towards you. I saw I am coming toward you as he takes three steps back as he started staggering he is still in his position.

SA Uh huh.

When he started staggering forward he let loose again.

SA But if he's staggering forward you said he was kinda almost hinged like this.

Right, that's how he was head barely up he was trying to keep focused on the officer.

SA And then when say he fell, he fell, he didn't hit his knees he fell on his face first.

No face first.

SA And you said so at the whole time he never moved his hands down like this.

They were coming down as he was falling.

SA So his-his hands could have been at his side when he fell ?

They could have been.

SA Okay.

They could have been they weren't up under his body.

Just one more time let you say that on August 12th you said Michael Brown is standing facing the officer at this point with his hands at his rib cage or Detective says that and you say yeah.

Uh huh.

And he says hands palm up and you say uh huh and you say and he was lookin', he says he was looking down at his body at some point and you say right-right. And then you say the officer when he took as he raised his head he told him to stop.

Right.

He asked you does Michael Brown raised his head and you say as he raises his head he says stop right there and he asked you the officer says this and you say yeah he did say stop and when he left from that fixed spot then he was walking toward him and he asked you towards the officer and you say toward the officer when as soon as he put his foot on the street he his him three times like how many steps do you think he took before the officer fired and you told him you didn't count. So

what you indicated there then was at the time he takes the steps toward the officer and the officer says stop right there and then fires that first volley you say that just before that Michael Brown is standing facing the officer at this point with his hands at his rib cage hands palms up right and this is, so this is while he is looking...

(UI) So, they about like this.

: Alright.

(UI) yeah, between, but they not, they right here. But like they're up. Okay, (UI)

: That's fine if on August 12th you said, that at the time the first volley happened he was standing facing the officer with his hands at his rib cage hands palms up is that accurate?

Yeah like this.

: Is it accurate what you said?

Yes, uh huh.

: Alright thank you and that was the first volley of shots?

First volley.

: Okay, I think I understand thank you.

Right. Hands up, no matter how you say is hands up okay.

: At his rib cage?

Right about right in here 'cause he's a big boy.

: Right.

Right, but he was definitely giving up.

: The hands are at his rib cage at the time of the fist volley of shots.

Right.

: Okay and with his hands-with his hands...right.

Away from his rib cage away not at his rib cage away his arms are still extended.

: Okay, and so you have your-you have your hands kind out by your sides now.

That's my rib cage?

: Yeah, but I'm just-just so that we can understand for the tape I mean your hands are now they are-they are lower now and they're out kinda of extended out by your side.

Right (UI) between shoulder and rib right here.

: But-but is it fair to say at the time of that first volley Michael Brown is standing facing the officer with his hands at his rib cage hands palms up is that yes?

I don't like the phrase palms up because when you say palms up I'm, it's almost like you're saying his hands are like this.

: all I am doing is just asking about your statement on August 12th those are your words not mine.

I meant say palms up I said hands up I never said palms up.

: Okay. Well, repeatedly on August 12th it was palms up okay that's all I am asking.

No, I said hands up I never said palms up.

: Alright that's fine.

I said hands.

: I don't think we have anything else um, I just wanted to clarify that I'm not sure that we have here but ah-ah, what you indicated though is what you said on August 12th was accurate and at the time of the first volley he had his hands at his rib cage is that right?

Yes.

: Okay.

SA Okay so the interview is completed 11:48.

August 9, 2014
2:19 p.m.
Detective ,
St. Louis County Police Department
Bureau of Crimes Against Persons

Det = Det.

Unintelligible = (UI)

DET. Today is Saturday, August 9, 2014, and the time is 2:19 p.m. This is Detective with the St. Louis County Police Department's Bureau of Crimes Against Persons, DSN I'm here at a, in an unmarked police vehicle and this is in reference to St. Louis County Complaint Number 14-43984. In the vehicle with me is...would you say your name for the recorder please?

DET. Okay, and, spell your first name for me please.

DET. ...yes. Last name

DET. And, what's your date of birth?

DET. And your Social Security Number?

DET. And, where do you live right now?

Canfield Drive, Apartment .

DET. And that's in Ferguson, right?

Yes.

DET. Who do you live there with?

My girlfriend.

DET. What's her name?

And, I was the only one home at the time.

DET. Okay. What's your cell phone?

DET. Uh huh.

DET. Do you have any other phones?

...oh, no.

DET. Yeah, , right?

Okay.

DET. Yes.

DET. And, what kind of phone is that?

Um, LG Optimist.

DET. Who's your carrier?

Sprint or Expo Mobile, but it's through Sprint.

DET. Expo?

Yes.

DET. E-x-p-o?

Yes.

DET. But it's a part of Sprint, right?

Yes.

DET. Are you workin'?

Yes.

DET. Where do you work?

DET. Where's that?

Um, Sou...I'm sorry .

DET. What do you do there?

I'm a sales rep.

DET. For who?

Um, for

DET. Okay. Alright, and um, so you obviously you know a, there's a scene right in front of us right now, right?

Exactly.

DET. And, you obviously know what this interview's about and what we'd like to talk to you about. Can you tell me, a, what you saw today?

Starting from the beginning?

DET. Sure.

Okay, my um boss was ight there. She was finna pick me up. When she was headed towards me...

DET. And is the young lady in the green shirt right there?

Uh huh. Yes.

DET. Okay.

She was picking me up so we could head off to work. We work in Illinois. Um, at the moment that I heard a car tire "skir" like "skirrrr" like it hurried up and pulled over at the same time she called me to come outside 'cause I was waitin' on her so I saw it was her, so I looked out the window and I saw a police and the first thing I saw was...

DET. I'm gonna stop you there for a second, okay? Where was at?
was in the van.

DET. Where's her van at?
Over there in that parking lot.

DET. Um, do you see the van right now?
Yes.

DET. Where is it?
Right there behind those officers.

DET. Okay. So, she's right there?
Yes.

DET. Okay, and she's in her van?
Yes.

DET. Okay. What kind of van? Is that a-a Ford
Ford, yeah, . Yeah.

DET. Okay, so she's sitting in her van?
Yes.

DET. Okay, and what happens then?
Okay, so she witnesses everything from the behind but I witnessed it from the top. She um, I looked outside I saw a police the first thing. The only thing that I saw at the moment was...

DET. : I'm gonna stop you again. Where were you looking outside from?
The side window, so not this window but the one to that side.

DET. Okay, so we're looking at right now.
Yes.

DET. And, you live on the...

Top floor, second...I'm sorry um, third floor , Apartment

DET . So, the very far top left-hand corner window was...

Yes, and the one right around that corner too.

DET Okay, so you're lookin' out that window right there?

Not this one, the one right around the corner.

DET. Okay, so it actually faces towards van?

Exactly. It's facin' right there towards that police car.

DET. Okay.

So, that's what I saw.

DET. Okay. And so um, you looked out that window...

Uh huh.

DET. ... and at the same time was calling you, right?

Yes.

DET. Okay.

'cause I heard the "skirrr" and I just assumed it was her and she was calling me so I was-I was gonna grab my things to come outside to go to work.

DET. Okay.

So, at the moment, where-I mean before I did I just looked outside to make sure she was...it was her waitin' for me and I saw a police officer. I don't know name running towards this guy. I didn't see the-the hassle at first but I did see him get out the car and run in a hurry. The guy was, oh I'm sorry I can't remember his name but it was a friend of of a friend of mine and . He ran and so by that time I came from that window and I ran to the patio right there, I opened the blinds and I could see past this corner so I could see directly there from the blinds. So, there, I saw the man running...I keep hearing some gunshots. Um, the lady's window across the apartment complex from mine, her window got shot 'causes steady gunshots flyin' everywhere and I looked outside. I saw him turn around and put his hands into the air

and get shot. After resisting...I mean non-resistance, after being compliant to the law.

DET. Okay. And you were all on the third floor balcony when you saw this?

Yes sir. And I stepped outside during this point. As soon as he got shot, I hurried up, got my phone and started recording it...everything-everything thereafter.

DET. Okay. And where were you standing when this was recording?

On the top floor on the right side of the balcony right there.

DET Okay, so you can walk between the two apartments there, is that right...?

Yes.

DET. ...and you were standing on that balcony?

Yes.

DET. Okay. And so you recorded that with your phone?

Yes.

DET. And that's this a...

Yes.

DET. ...this LG Optimist that you have right here?

And now it is cracked but I can send these videos. I put 'em on my Facebook and I'll send it to this email right here. I sent one to this email. So I have a couple of 'em.

DET. What's your Facebook?

DET.

...uh huh. ...

DET

...

DET. ...dash (-)...

...oh I'm sorry. Just put p. Yeah.

DET. Does that look right?

Yes.

DET.

Yes,

DET. Is there anything else on there that I/we need to know about your...how to get to like look at your Facebook stuff?

(Phone ringing)

Oh no. Everything's, everything's pretty open so you can see the video I last posted.

(Phone ringing – video playing)

DET. Hold on.

(UF recorded phone call) (UI)

DET. Are you playing it right now? Okay, let...I'm gonna ask you to just stop it for a second okay.

Sure thing.

DET. I'm just gonna ask you a couple more questions okay? Um, how many officers did you see?

I saw one initially then after that, two. One more walked up and they said stood over the body.

DET. Okay, so when the incident took place, um how many officers were here?

Um, I just saw one...

DET. Okay.

...that I could see.

DET. How many, a, gunshots do you think you heard?

Well, I've heard three at first, like as soon as I-as soon as I heard the "skirrrr" I heard three gunshots, "boom-boom-boom" and then I um came to the window and I kept, before I could exit my house from the balcony to the actual door is when I kept hearing more and more shots so I was technically tryin' to stay behind the-door which is why I could see the um, him getting shot, but, I wasn't present for the video to be show 'cause I was all...I was inside.

DET. Say that one more time.

Okay, I did kinda just confuse you. Okay, so what I initially heard gunshots and after I heard the skirring of the car wheels...

DET. I-I'm gonna, just-just so I understand what-what you're sayin'. So, you hear the-the car tires, right?

Yes.

DET And...

A sharp turn.

DET. Okay. And, you look out that far window that faces, a, car, right?

Yes.

DET And, what did you see at that point?

I saw the man, I'm sorry, by the man I mean the police officer getting out of his car and running full speed. That's when I went to the next window.

DET. Okay, and he was running...

This way.

DET. ...where-where's his vehicle at?

Right there.

DET. Okay. So, the vehicle with the-the...

By the orange cones.

DET. With the crime scene tape on the back of it, is that right?

Yes, yes.

DET. Okay. So, that's the officer's vehicle that you saw, right?

Yes.

DET. Okay. And, so which direction was he running?

He got out of the car and ran to my right.

DET. Okay, so he's running from that vehicle?

Yes.

DET. To, down the street closer to 29 then closer to 29...

And also, while I was lookin', I saw a all black Monte Carlo sitting right directly in front of it and the guy that um, I guess he was walking with I guess his name, but I only know him by a nickname. His name DJ. He was tryin' hide because he was scared for his life as well 'cause the police was already shooting, so he was tryin' to duck off behind the car.

DET. Okay. Um...

Yes, but this, um, I was so...and about the gunshots, then I heard several more. I can't-I can't put a number on, it was several of 'em and they were I guess aimed at every direction 'cause it just sounded like chaos (UI).

DET. Can you give me an estimate?

: No-no less than four after the original ones. No less than four more.

DET. So, you heard an original how many?

Three.

DET. You heard an original three. And, then roughly how long after you heard those original three?

30 seconds.

DET. 30 seconds...

If that.

DET. ...later.

Yes.

DET. After that you heard four more, right?

At lease.

DET. And you just made mention that someone's um, window got shot or something.

Yes. I just um, I didn't see that personally but the people who were all standing right there they just told me that her window has a bullet mark through it from the police shootin'.

DET. And which apartment is that?

Well, I-they were standing right there so I don't know which window. I just heard the people talkin' about it and they were just telling me while I was standing here waitin' for you guys to come.

DET. In this building right here?

Yes. She said they-they shot through the window and um, the other guy was unarmed because he put his hands up so, to be compliant so this is a, okay so I saw the officer running and by the time I got to the next window I saw him get down, like arms up and then get shot afterwards.

DET. So, at the point that you first saw the-the deceased individual..

Uh huh.

DET. ...where-were were you at? Where-were were you at when you first saw him?

I was looking out my door.

DET. Okay, so were you inside your apartment or outside your apartment?

I was in it but the door was open so I was exiting out as I was looking at him.

DET. Okay.

So, I'm on my way outside the apartment from the balcony.

DET. So, you walked out of the apartment onto your balcony?

Yes.

DET. Alright. Okay. So, then at that point, where was a, where was the individual at?

 He was on the ground.

DET. He was already on the ground?

 And that's when, yep, that's when I picked my phone up and just recording right then and there.

DET. Okay, so what-how was he on the ground?

 His head um, what's the position? I can't remember analogy, his lateral, he was facing downwards arms straight...

DET. Was he on his stomach or his back?

 ...90°. Yes, on his stomach, frontal, arms 90° angles at either side of his head parallel on the ground.

DET. Okay, which way was his head facing?

 Towards the police officer. So, that's how you know who turned around and tried to ya know, make it understood that he didn't have anything on him because he has a shoe and a hat missing there 'cause he ran this way but turned around this way to where his body is facing that way now.

DET Okay, alright. Did you hear, a, anyone saying anything?

 I was too in shock. I-I all I could hear was just gasps and...

DET. Did you hear the police officer say anything?

 No.

DET. Did you...

 I heard him say get back or somethin' like that, somethin' like that. Like, get back, ya know the crime scene, get back. Things of that nature but...

DET. Okay, when the incident's actually taking place, did you hear the officer say anything?

 I don't-I don't remember him, I don't remember hearing him say "stop." I don't remember hearing his voice.

When I looked out the blinds, I saw the man get clo-like, okay so he 's running. I had to hurry up and switch windows. I'm looking, he's running still and then my attention turned to the guy to the, in the Monte Carlo 'cause he was like this, ducked off 'cause all you hear is gunshots so I'm assuming he's tryin' to hide from gunshots 'cause I honestly didn't know what was going on at the time. I thought maybe they were tryin' to shoot the police but it turns out it was the other way around. So, he was hiding from the gunshots and the Monte Carlo there was safe. What is this northbound, and so, that's when my attention while I was lookin' through the blinds and after I did that is when I came outside and saw the man get shot.

DET. Okay, um, we-we went through kinda a lot of things there, alright. I just wanna make sure again. I wanna make sure I understand and I wanna make sure I'm clear in-on what you're sayin'. Okay?

Sure thing.

DET. But, let-let me clarify somethin' first, okay? We're facing roughly north, northeast right now, okay? A, and we're lookin' at your apartment, right?

Okay.

DET. Northeast. We're facin', so you said that there was a, and just for argument sake, let's just say we're facin' north and let's say that, that is west and let's say that, that is east.

Okay, sure.

DET. Okay. So, the Monte Carlo was where?

If this-this is north, I was lookin' south...

DET. Right.

So, I'm lookin' this way, and the Monte Carlo was parked right there.

DET. Okay, so the Monte Carlo is parked facing west?

Yes.

DET. Okay, and where is the male in that car? Where's he at?

Well, he wasn't in the car. There was other people in the car. They were just stopped behind this police officer. He was just hiding behind their car once the police officer fired his shots.

DET. Okay, where was he hiding in the car?

He wasn't, he didn't, he never got in the car. He was just...

DET. I-I-I should say around the car, where was he hiding?

Yeah, okay, so um, back right side.

DET. So, on the passenger's side of the vehicle?

Yes.

DET. In the back?

Yes.

DET. Right back there?

Yes, a two-door car, so yeah.

DET. To the rear passenger side of the vehicle. Okay. So, he was on the grass or he was in the street or what?

He was on the concrete kneeling down.

DET. Okay. And that car, point to roughly where that car was parked.

Um, right here facing west directly in front of the sign, I guess, I wanna say...

DET. What sign?

...directly in front of the 29 address.

DET. So, he's parked in front of the 29 address?

Yes, so he's right here.

DET. Okay. Do you know who that person is?

No.

DET. Have you ever seen him before?

A, well I know who the person who was running, it was my friend. I only know him by nickname, DJ.

DET. Okay. But the- the person in the Monte Carlo, do you know who that was?

Don't know who those people are.

DET. Alright.

I assumed it just to be people riding down the street trying to get by. They just saw action.

DET. Alright.

Can you turn the air down a little bit?

DET. Sure. It's alright. Sorry, I got this vest on.

Oh yeah.

DET. Alright. You look out your west facing window, right?

Yes.

DET. Correct me if I say something wrong. You look out your west facing window and you see, prior to looking out your window your friend calls you, right?

Uh huh.

DET. And about that same time you hear tires squealing?

Yeah. I heard the tires first. She called like simultaneously.

DET. Almost at the same time.

Tire, call.

DET. Okay. Tires, call you look out your west facing window and you see your, I'm sorry, you see your friend's car.

Yes.

DET. Okay. Is she in the car?

Yes.

DET. Okay, she's physically in the car in the driver's seat or passenger seat?

Yeah, she was just in the car.

DET. Okay. And then you look over to the roadway over here on Canfield, right?

Uh huh. She was behind the police so she saw things from the back end.

DET. And you see the police car parked where it stands right now, right?

Yes.

DET. Okay, and we're talkin' about the police car with the-the tape on it right?

Yes.

DET. Okay. And, from there you see a police officer getting out of his car?

Uh huh.

DET. And, is he in the passenger side or driver's side?

: No, he's in the driver's side.

DET. Okay, he gets out of his driver's side car-of his car and he goes which direction?

He go, well if that's west he runs east.

DET. Okay, so he's running east now, right?

Yes.

DET. Okay, now at that point you don't see anybody else other than the police officer there, right?

I see, I saw the man running afterwards, but at this point, yes.

DET. Okay, yeah-yeah, at just at this point you don't see anybody else, right?

: Yes.

DET. Okay. At what point do you hear gunshots?

Well, I heard 'em. Soon as I heard the "skirrr" I looked out the window, I heard gunshots. So, it was like all in that order.

DET. So, seconds?

Yes.

DET. Exact same time almost?

Yes.

DET. Okay.

It was like “skirrr”, phone call, “boom-boom-boom” it was just all together.

DET. That fast?

Yes.

DET. Okay.

‘cause, um, the way I heard it, he shot while he was trying to pull the guy...

DET. Okay, I’m –I’m gonna stop ya okay?

Oh, this first-hand?

DET. Yeah-yeah-yeah.

You just want first-hand free.

DET. I got you. Not rumored just-just what you know, okay?

Okay.

DET. Okay, so, the officer, out of his vehicle and he is running east on Canfield , right?

Uh huh.

DET. You leave that west facing window, right?

Yes.

DET. And, you go where first?

To my-my bal, oh, I grab my phone first then go to my balcony.

DET. Okay. You go to your balcony, right? And, you’re inside looking out first?

Yes, at first.

DET. Okay, and then you have a sliding glass door or something there?

Yeah.

DET. Okay, so you're looking out the sliding glass door.

Uh huh.

DET. And, which way are you looking? Are you looking more towards the car, the police car or are you looking more towards the east over here?

Well at fir...well I'm lookin' towards the police running this way but then my attention turned to the Monte Carlo right here 'cause I was wondering...I was tryin' to see how it all synchronized together and whether that car was in the wrong and whether they were the ones that's in trouble and running away, so I had my...

DET. Right. Are you still in the house at this point? In the apartment?

Yeah, I had my attention turned there.

DET. Okay, so your attention gets directed to the Monte Carlo, right?

Yes.

DET. How long do you think your attention was directed to the Monte Carlo for?

Ten seconds maybe thirty. I said ten seconds, thirty. Ten seconds maybe twenty.

DET. Okay, so ten to twenty seconds...

Yeah.

DET. ... your attention is directed at the Monte Carlo and...

Yes.

DET. ...I'm assuming the man that's hiding behind the Monte Carlo.

Yes. And, at this point now that I'm thinkin' about it, I'm witnessing the boy run past the Monte Carlo 'cause, um, now that I'm thinkin' clearly he um, I'm looking directly out this window. The Monte Carlo's right here. He was kneeling down like slowly scootin' up tryin'...'cause as the

police was running, he was going towards this way so the police wouldn't see him. So, I'm lookin' at the police and the guy runnin'. The guy was a little ways ahead of him so I couldn't really technically see anything but the back side of him. So, I'm looking at the police running to while I'm lookin' at this um, the guy in the Monte Carlo 'cause I was tryin' to think...I thought he was hiding but, really he was just scared for his life, that type stuff.

DET. Okay, so you're talking about the guy creeping...

Yes.

DET. ...is the guy hiding around the Monte Carlo?

Yes.

DET. Okay. So that guy in the Monte Carlo continues to kinda work his way towards the front of the vehicle while the police officer's...

Is running west.

DET. ...which will be towards the west, okay.

Yes.

DET. As the police officer continues running east, right? Okay.

Well, yeah.

DET. At what point do you come out of your apartment then?

Well, now that, as soon as I saw that as soon as I'm walkin' out and then that's when I saw the man.

DET. Okay, so you're walkin' out of your apartment and where do you walk first?

Um, directly on my balcony.

DET. Okay so....

So, on this side.

DET. ...on your balcony first. On your side of the balcony first

Yes.

DET. Okay. And what do you see at that point?

August 9, 2014
2:19 p.m.
Detective ,
St. Louis County Police Department
Bureau of Crimes Against Persons

Det = Det.

Unintelligible = (UI)

DET. Today is Saturday, August 9, 2014, and the time is 2:19 p.m. This is Detective with the St. Louis County Police Department's Bureau of Crimes Against Persons, DSN I'm here at a, in an unmarked police vehicle and this is in reference to St. Louis County Complaint Number 14-43984. In the vehicle with me is...would you say your name for the recorder please?

DET. Okay, and, spell your first name for me please.

DET. ...yes. Last name

DET. And, what's your date of birth?

DET. And your Social Security Number?

DET. And, where do you live right now?

Canfield Drive, Apartment .

DET. And that's in Ferguson, right?

Yes.

DET. Who do you live there with?

My girlfriend.

DET. What's her name?

And, I was the only one home at the time.

DET. Okay. What's your cell phone?

DET. Uh huh.

DET. Do you have any other phones?

...oh, no.

DET. Yeah, , right?

Okay.

DET. Yes.

DET. And, what kind of phone is that?

Um, LG Optimist.

DET. Who's your carrier?

Sprint or Expo Mobile, but it's through Sprint.

DET. Expo?

Yes.

DET. E-x-p-o?

Yes.

DET. But it's a part of Sprint, right?

Yes.

DET. Are you workin'?

Yes.

DET. Where do you work?

DET. Where's that?

Um, Sou...I'm sorry .

DET. What do you do there?

I'm a sales rep.

DET. For who?

Um, for

DET. Okay. Alright, and um, so you obviously you know a, there's a scene right in front of us right now, right?

Exactly.

DET. And, you obviously know what this interview's about and what we'd like to talk to you about. Can you tell me, a, what you saw today?

Starting from the beginning?

DET. Sure.

Okay, my um boss was ight there. She was finna pick me up. When she was headed towards me...

DET. And is the young lady in the green shirt right there?

Uh huh. Yes.

DET. Okay.

She was picking me up so we could head off to work. We work in Illinois. Um, at the moment that I heard a car tire "skir" like "skirrrr" like it hurried up and pulled over at the same time she called me to come outside 'cause I was waitin' on her so I saw it was her, so I looked out the window and I saw a police and the first thing I saw was...

DET. I'm gonna stop you there for a second, okay? Where was at?
was in the van.

DET. Where's her van at?
Over there in that parking lot.

DET. Um, do you see the van right now?
Yes.

DET. Where is it?
Right there behind those officers.

DET. Okay. So, she's right there?
Yes.

DET. Okay, and she's in her van?
Yes.

DET. Okay. What kind of van? Is that a-a Ford
Ford, yeah, . Yeah.

DET. Okay, so she's sitting in her van?
Yes.

DET. Okay, and what happens then?
Okay, so she witnesses everything from the behind but I witnessed it from the top. She um, I looked outside I saw a police the first thing. The only thing that I saw at the moment was...

DET. : I'm gonna stop you again. Where were you looking outside from?
The side window, so not this window but the one to that side.

DET. Okay, so we're looking at right now.
Yes.

DET. And, you live on the...

Top floor, second...I'm sorry um, third floor , Apartment

DET . So, the very far top left-hand corner window was...

Yes, and the one right around that corner too.

DET Okay, so you're lookin' out that window right there?

Not this one, the one right around the corner.

DET. Okay, so it actually faces towards van?

Exactly. It's facin' right there towards that police car.

DET. Okay.

So, that's what I saw.

DET. Okay. And so um, you looked out that window...

Uh huh.

DET. ... and at the same time was calling you, right?

Yes.

DET. Okay.

'cause I heard the "skirrr" and I just assumed it was her and she was calling me so I was-I was gonna grab my things to come outside to go to work.

DET. Okay.

So, at the moment, where-I mean before I did I just looked outside to make sure she was...it was her waitin' for me and I saw a police officer. I don't know name running towards this guy. I didn't see the-the hassle at first but I did see him get out the car and run in a hurry. The guy was, oh I'm sorry I can't remember his name but it was a friend of of a friend of mine and . He ran and so by that time I came from that window and I ran to the patio right there, I opened the blinds and I could see past this corner so I could see directly there from the blinds. So, there, I saw the man running...I keep hearing some gunshots. Um, the lady's window across the apartment complex from mine, her window got shot 'causes steady gunshots flyin' everywhere and I looked outside. I saw him turn around and put his hands into the air

and get shot. After resisting...I mean non-resistance, after being compliant to the law.

DET. Okay. And you were all on the third floor balcony when you saw this?

Yes sir. And I stepped outside during this point. As soon as he got shot, I hurried up, got my phone and started recording it...everything-everything thereafter.

DET. Okay. And where were you standing when this was recording?

On the top floor on the right side of the balcony right there.

DET Okay, so you can walk between the two apartments there, is that right...?

Yes.

DET. ...and you were standing on that balcony?

Yes.

DET. Okay. And so you recorded that with your phone?

Yes.

DET. And that's this a...

Yes.

DET. ...this LG Optimist that you have right here?

And now it is cracked but I can send these videos. I put 'em on my Facebook and I'll send it to this email right here. I sent one to this email. So I have a couple of 'em.

DET. What's your Facebook?

DET.

...uh huh. ...

DET

...

DET. ...dash (-)...

...oh I'm sorry. Just put p. Yeah.

DET. Does that look right?

Yes.

DET.

Yes,

DET. Is there anything else on there that I/we need to know about your...how to get to like look at your Facebook stuff?

(Phone ringing)

Oh no. Everything's, everything's pretty open so you can see the video I last posted.

(Phone ringing – video playing)

DET. Hold on.

(UF recorded phone call) (UI)

DET. Are you playing it right now? Okay, let...I'm gonna ask you to just stop it for a second okay.

Sure thing.

DET. I'm just gonna ask you a couple more questions okay? Um, how many officers did you see?

I saw one initially then after that, two. One more walked up and they said stood over the body.

DET. Okay, so when the incident took place, um how many officers were here?

Um, I just saw one...

DET. Okay.

...that I could see.

DET. How many, a, gunshots do you think you heard?

Well, I've heard three at first, like as soon as I-as soon as I heard the "skirrrr" I heard three gunshots, "boom-boom-boom" and then I um came to the window and I kept, before I could exit my house from the balcony to the actual door is when I kept hearing more and more shots so I was technically tryin' to stay behind the-door which is why I could see the um, him getting shot, but, I wasn't present for the video to be show 'cause I was all...I was inside.

DET. Say that one more time.

Okay, I did kinda just confuse you. Okay, so what I initially heard gunshots and after I heard the skirring of the car wheels...

DET. I-I'm gonna, just-just so I understand what-what you're sayin'. So, you hear the-the car tires, right?

Yes.

DET And...

A sharp turn.

DET. Okay. And, you look out that far window that faces, a, car, right?

Yes.

DET And, what did you see at that point?

I saw the man, I'm sorry, by the man I mean the police officer getting out of his car and running full speed. That's when I went to the next window.

DET. Okay, and he was running...

This way.

DET. ...where-where's his vehicle at?

Right there.

DET. Okay. So, the vehicle with the-the...

By the orange cones.

DET. With the crime scene tape on the back of it, is that right?

Yes, yes.

DET. Okay. So, that's the officer's vehicle that you saw, right?

Yes.

DET. Okay. And, so which direction was he running?

He got out of the car and ran to my right.

DET. Okay, so he's running from that vehicle?

Yes.

DET. To, down the street closer to 29 then closer to 29...

And also, while I was lookin', I saw a all black Monte Carlo sitting right directly in front of it and the guy that um, I guess he was walking with I guess his name, but I only know him by a nickname. His name DJ. He was tryin' hide because he was scared for his life as well 'cause the police was already shooting, so he was tryin' to duck off behind the car.

DET. Okay. Um...

Yes, but this, um, I was so...and about the gunshots, then I heard several more. I can't-I can't put a number on, it was several of 'em and they were I guess aimed at every direction 'cause it just sounded like chaos (UI).

DET. Can you give me an estimate?

: No-no less than four after the original ones. No less than four more.

DET. So, you heard an original how many?

Three.

DET. You heard an original three. And, then roughly how long after you heard those original three?

30 seconds.

DET. 30 seconds...

If that.

DET. ...later.

Yes.

DET. After that you heard four more, right?

At lease.

DET. And you just made mention that someone's um, window got shot or something.

Yes. I just um, I didn't see that personally but the people who were all standing right there they just told me that her window has a bullet mark through it from the police shootin'.

DET. And which apartment is that?

Well, I-they were standing right there so I don't know which window. I just heard the people talkin' about it and they were just telling me while I was standing here waitin' for you guys to come.

DET. In this building right here?

Yes. She said they-they shot through the window and um, the other guy was unarmed because he put his hands up so, to be compliant so this is a, okay so I saw the officer running and by the time I got to the next window I saw him get down, like arms up and then get shot afterwards.

DET. So, at the point that you first saw the-the deceased individual..

Uh huh.

DET. ...where-were were you at? Where-were were you at when you first saw him?

I was looking out my door.

DET. Okay, so were you inside your apartment or outside your apartment?

I was in it but the door was open so I was exiting out as I was looking at him.

DET. Okay.

So, I'm on my way outside the apartment from the balcony.

DET. So, you walked out of the apartment onto your balcony?

Yes.

DET. Alright. Okay. So, then at that point, where was a, where was the individual at?

 He was on the ground.

DET. He was already on the ground?

 And that's when, yep, that's when I picked my phone up and just recording right then and there.

DET. Okay, so what-how was he on the ground?

 His head um, what's the position? I can't remember analogy, his lateral, he was facing downwards arms straight...

DET. Was he on his stomach or his back?

 ...90°. Yes, on his stomach, frontal, arms 90° angles at either side of his head parallel on the ground.

DET. Okay, which way was his head facing?

 Towards the police officer. So, that's how you know who turned around and tried to ya know, make it understood that he didn't have anything on him because he has a shoe and a hat missing there 'cause he ran this way but turned around this way to where his body is facing that way now.

DET Okay, alright. Did you hear, a, anyone saying anything?

 I was too in shock. I-I all I could hear was just gasps and...

DET. Did you hear the police officer say anything?

 No.

DET. Did you...

 I heard him say get back or somethin' like that, somethin' like that. Like, get back, ya know the crime scene, get back. Things of that nature but...

DET. Okay, when the incident's actually taking place, did you hear the officer say anything?

 I don't-I don't remember him, I don't remember hearing him say "stop." I don't remember hearing his voice.

DET Okay. Did you hear the, a, the individual that's deceased, did you hear him saying anything?

I didn't hear him either. I didn't hear him scream or anything. All I heard was gunshots and death.

DET. And, so the first time you saw the officer, right what, would, you would've been looking out that window?

Uh huh.

DET. Um that looks onto um...

The parking lot.

DET. Your friend's car, right?

Yes.

DET. But, then the first time you saw the deceased individual...

I have, yes.

DET ...you were outside the front door of your apartment and you were on your neighbor's balcony?

Yes.

DET. Is that right?

Well yes.

DET. I-I don't wanna put words in your mouth. I just wanna make sure I understand right, is that right?

Yes. I looked out the bal...looked out the blinds first saw it happenin' and walked out the door.

DET. Okay, so you looked out the blinds...

Of the balcony...

DET. ... and what did you see?

...that's where I seen it all.

DET. Right. When you're lookin' out the blinds, what did you see happening?

When I looked out the blinds, I saw the man get clo-like, okay so he 's running. I had to hurry up and switch windows. I'm looking, he's running still and then my attention turned to the guy to the, in the Monte Carlo 'cause he was like this, ducked off 'cause all you hear is gunshots so I'm assuming he's tryin' to hide from gunshots 'cause I honestly didn't know what was going on at the time. I thought maybe they were tryin' to shoot the police but it turns out it was the other way around. So, he was hiding from the gunshots and the Monte Carlo there was safe. What is this northbound, and so, that's when my attention while I was lookin' through the blinds and after I did that is when I came outside and saw the man get shot.

DET. Okay, um, we-we went through kinda a lot of things there, alright. I just wanna make sure again. I wanna make sure I understand and I wanna make sure I'm clear in-on what you're sayin'. Okay?

Sure thing.

DET. But, let-let me clarify somethin' first, okay? We're facing roughly north, northeast right now, okay? A, and we're lookin' at your apartment, right?

Okay.

DET. Northeast. We're facin', so you said that there was a, and just for argument sake, let's just say we're facin' north and let's say that, that is west and let's say that, that is east.

Okay, sure.

DET. Okay. So, the Monte Carlo was where?

If this-this is north, I was lookin' south...

DET. Right.

So, I'm lookin' this way, and the Monte Carlo was parked right there.

DET. Okay, so the Monte Carlo is parked facing west?

Yes.

DET. Okay, and where is the male in that car? Where's he at?

Well, he wasn't in the car. There was other people in the car. They were just stopped behind this police officer. He was just hiding behind their car once the police officer fired his shots.

DET. Okay, where was he hiding in the car?

He wasn't, he didn't, he never got in the car. He was just...

DET. I-I-I should say around the car, where was he hiding?

Yeah, okay, so um, back right side.

DET. So, on the passenger's side of the vehicle?

Yes.

DET. In the back?

Yes.

DET. Right back there?

Yes, a two-door car, so yeah.

DET. To the rear passenger side of the vehicle. Okay. So, he was on the grass or he was in the street or what?

He was on the concrete kneeling down.

DET. Okay. And that car, point to roughly where that car was parked.

Um, right here facing west directly in front of the sign, I guess, I wanna say...

DET. What sign?

...directly in front of the 29 address.

DET. So, he's parked in front of the 29 address?

Yes, so he's right here.

DET. Okay. Do you know who that person is?

No.

DET. Have you ever seen him before?

A, well I know who the person who was running, it was my friend. I only know him by nickname, DJ.

DET. Okay. But the- the person in the Monte Carlo, do you know who that was?

Don't know who those people are.

DET. Alright.

I assumed it just to be people riding down the street trying to get by. They just saw action.

DET. Alright.

Can you turn the air down a little bit?

DET. Sure. It's alright. Sorry, I got this vest on.

Oh yeah.

DET. Alright. You look out your west facing window, right?

Yes.

DET. Correct me if I say something wrong. You look out your west facing window and you see, prior to looking out your window your friend calls you, right?

Uh huh.

DET. And about that same time you hear tires squealing?

Yeah. I heard the tires first. She called like simultaneously.

DET. Almost at the same time.

Tire, call.

DET. Okay. Tires, call you look out your west facing window and you see your, I'm sorry, you see your friend's car.

Yes.

DET. Okay. Is she in the car?

Yes.

DET. Okay, she's physically in the car in the driver's seat or passenger seat?

Yeah, she was just in the car.

DET. Okay. And then you look over to the roadway over here on Canfield, right?

Uh huh. She was behind the police so she saw things from the back end.

DET. And you see the police car parked where it stands right now, right?

Yes.

DET. Okay, and we're talkin' about the police car with the-the tape on it right?

Yes.

DET. Okay. And, from there you see a police officer getting out of his car?

Uh huh.

DET. And, is he in the passenger side or driver's side?

: No, he's in the driver's side.

DET. Okay, he gets out of his driver's side car-of his car and he goes which direction?

He go, well if that's west he runs east.

DET. Okay, so he's running east now, right?

Yes.

DET. Okay, now at that point you don't see anybody else other than the police officer there, right?

I see, I saw the man running afterwards, but at this point, yes.

DET. Okay, yeah-yeah, at just at this point you don't see anybody else, right?

: Yes.

DET. Okay. At what point do you hear gunshots?

Well, I heard 'em. Soon as I heard the "skirrr" I looked out the window, I heard gunshots. So, it was like all in that order.

DET. So, seconds?

Yes.

DET. Exact same time almost?

Yes.

DET. Okay.

It was like “skirrr”, phone call, “boom-boom-boom” it was just all together.

DET. That fast?

Yes.

DET. Okay.

‘cause, um, the way I heard it, he shot while he was trying to pull the guy...

DET. Okay, I’m –I’m gonna stop ya okay?

Oh, this first-hand?

DET. Yeah-yeah-yeah.

You just want first-hand free.

DET. I got you. Not rumored just-just what you know, okay?

Okay.

DET. Okay, so, the officer, out of his vehicle and he is running east on Canfield , right?

Uh huh.

DET. You leave that west facing window, right?

Yes.

DET. And, you go where first?

To my-my bal, oh, I grab my phone first then go to my balcony.

DET. Okay. You go to your balcony, right? And, you’re inside looking out first?

Yes, at first.

DET. Okay, and then you have a sliding glass door or something there?

Yeah.

DET. Okay, so you're looking out the sliding glass door.

Uh huh.

DET. And, which way are you looking? Are you looking more towards the car, the police car or are you looking more towards the east over here?

Well at fir...well I'm lookin' towards the police running this way but then my attention turned to the Monte Carlo right here 'cause I was wondering...I was tryin' to see how it all synchronized together and whether that car was in the wrong and whether they were the ones that's in trouble and running away, so I had my...

DET. Right. Are you still in the house at this point? In the apartment?

Yeah, I had my attention turned there.

DET. Okay, so your attention gets directed to the Monte Carlo, right?

Yes.

DET. How long do you think your attention was directed to the Monte Carlo for?

Ten seconds maybe thirty. I said ten seconds, thirty. Ten seconds maybe twenty.

DET. Okay, so ten to twenty seconds...

Yeah.

DET. ... your attention is directed at the Monte Carlo and...

Yes.

DET. ...I'm assuming the man that's hiding behind the Monte Carlo.

Yes. And, at this point now that I'm thinkin' about it, I'm witnessing the boy run past the Monte Carlo 'cause, um, now that I'm thinkin' clearly he um, I'm looking directly out this window. The Monte Carlo's right here. He was kneeling down like slowly scootin' up tryin'...'cause as the

police was running, he was going towards this way so the police wouldn't see him. So, I'm lookin' at the police and the guy runnin'. The guy was a little ways ahead of him so I couldn't really technically see anything but the back side of him. So, I'm looking at the police running to while I'm lookin' at this um, the guy in the Monte Carlo 'cause I was tryin' to think...I thought he was hiding but, really he was just scared for his life, that type stuff.

DET. Okay, so you're talking about the guy creeping...

Yes.

DET. ...is the guy hiding around the Monte Carlo?

Yes.

DET. Okay. So that guy in the Monte Carlo continues to kinda work his way towards the front of the vehicle while the police officer's...

Is running west.

DET. ...which will be towards the west, okay.

Yes.

DET. As the police officer continues running east, right? Okay.

Well, yeah.

DET. At what point do you come out of your apartment then?

Well, now that, as soon as I saw that as soon as I'm walkin' out and then that's when I saw the man.

DET. Okay, so you're walkin' out of your apartment and where do you walk first?

Um, directly on my balcony.

DET. Okay so....

So, on this side.

DET. ...on your balcony first. On your side of the balcony first

Yes.

DET. Okay. And what do you see at that point?

The man do this and get shot. Like I didn't see anything prior to, um, I heard the gunshots so I assumed he got shot more than that but I didn't see him specifically get shot nothin' but those two times where he turned around, did this, got shot and got shot again.

DET. Okay. And that's from your balcony or from your neighbor's balcony?

That was still from my balcony.

DET. Okay, so you're on a the-the west side of the balcony then, right?

Yes.

DET. Okay, so you're on the west side of the balcony. You're on the...so you're lookin' in front of ...I guess you're lookin' through that-that a porch area, awning area. Is that what you're sayin'?

Um, yeah. Well, you can actually see everything from here, so, even from my balcony over there I can see directly everything from there.

DET. Alright. So you looked down and when you looked down here, can you see the police officer?

Yes.

DET. What's the police officer doing?

Sh...shot the man.

DET. What'-what's he doing? Show me how he 's standing. I-I don't mean get out of the car. I'm just...

Oh, okay. He-he, well, he had like one hand here. The man looked like this.

DET. Yeah, so the police officer had one hand where?

I'm thinkin', I'm tryin' to think correctly, 'cause I don't wanna just say anything.

(Sound of bell [cell])

I'm pretty sure that he had one hand here but he already had his gun in his hand so it was just like a-a turn thing. I don't know. It's kinda how you guys stand-how you stand when you have your gun in your hand and you're facin' it toward somebody. But, I remember lookin'-lookin' directly at his face as he did it. His face was completely red with, who

knows with anger or somethin'. And then he just killed him and he backed away a little bit and started pointing at people to direct them away from everything that was going on and that is where I start recording it so I have video of that happening.

DET. Alright. So the officer is standing how far from-from the deceased individual?

Two feet, three. Maybe one yard or...

DET. Two or three feet is, I mean three feet this, right?

Uh huh.

DET. He's that close?

Yeah.

DET. Okay. So, are his arms extended? The officer's arms extended?

In what way? Front or...

DET. Well, I mean is he holding the gun? Like arms extended out like this?

Oh, yes, there, that's...okay, so you were asking me before he shot him.

DET. Or is it-is it closer to...

I thought you were sayin' after. While, before he shot him, he was close.

DET. How close?

He was right, I'm-I'm thinkin the officer was right here and the police was right there. So, before he shot him he wasn't three feet but he was close about, I'll give it two or three yards.

DET. So, he's, okay, so he's two or three yards away.

Yes, 'cause he was shootin' as he was running. They were shootin' if they were-if they were running away. That's why he turned around and put his arms up in the air and then got closer and shot him.

DET. Okay, so the officer's got his arm extended out.

Yes.

DET. Does he have his left arm or his right arm extended out?

I don't remember.

DET. Okay. And, do you remember him saying anything?

No. I can't, I was too busy crying and gasping to hear much but that last gunshot.

DET. Okay, so the, so the deceased individual...was he runnin'?

Yes.

DET Which way was he running?

That way from the police car to that way.

DET. And...

He was originally walking this way.

DET. When he stops running, what does he do?

He just turns around and stops.

DET. So, just stops dead in his tracks.

Yes.

DET. And-and...

But after-after he got shot that first time, I don't know which time it was but after he got that shot, he turned around and wanted the police to realize he was not armed so he had his arms up and then got shot again.

DET. Okay, do you know where he got shot?

A, head. He got shot right in his face.

DET. Okay. And then um, so once the-the guy falls to the ground, right? The deceased individual falls to the ground. What happens then?

I wanna, I-I think he shot him twice. But, he shot him before he was on the ground so it would, I don't think he's like he was laying on the ground just shot again. But it's like "boom-boom" and then he fell.

DET Okay, so he was...he didn't shoot him when he was laying on the ground?

Yeah, no.

DET. Yes?

I'm sorry. I mixed that-I mix up my words. No, he did not shoot him while he was on the ground...

DET Okay.

...that I could tell.

DET. Alright. Okay. And then-and then that's when you started recording, correct?

Yes.

DET. Okay, here um, because you obviously have a-a-a important piece of the incident on your phone okay...

Uh huh.

DET. A, I'd like to take a look at your phone. I'm assuming you're okay with that.

Yeah, you probably won't be able to see anything. It'd be better if I sent it to you.

DET. Okay, well I guess...

(video recording playing-PC): *"Got no gun, they just killed this nigger. His blood everywhere."*

I found, this is the first video I took. You can't, you can just see from the little ...(UI)

(video recording playing-PC): *"Holy shit. They just killed this nigger. Outside my apartment where he ain't armed. He don't got no gun. They just killed this nigger. His blood everywhere."*

DET. Now that's just you (UI) ?

Yeah, the video's on.

(video recording playing-PC): *"Fuck the police. That's all I got to say about this shit. This shit ridiculous."*

DET. Alright, so that was the first video that you had and that shows...

I'm sorry. Let me, I don't believe that, that was the first one, 'cause the first one I was...here is the very first one. Sorry my phone is horrible. It's dropped way too many times.

DET. Yeah, it's one of the worst damaged phones I've seen.

And, it just happens to be the one with the evidence on it.

DET With the what?

With the evidence on it. Man, I don't wanna act ridiculous. So, it just, and sometimes it even press buttons when it wants to, it's like...

DET. Ya know what? Here's what I'm gonna, a, here's what I'm gonna ask you to do, okay?

Uh huh.

DET. We've got a. we've got a forensics guy who can-who can get everything off the phone, okay?

Okay.

DET. I'm just gonna ask him to take a look at it. You okay with that? Alright.

Ummm.

DET Just do me this, just do me this favor, okay? Here, um, go ahead and put date and time and where we're at and basically this is just sayin' that we can take it and then we can, we can get everything off the phone. Okay?

Okay.

DET. Okay.

Um, are you suppose to put the fact that you're searchin' the phone first?

DET. Yeah, uh huh. But, you're gonna write that.

Okay.

DET. Yeah, yeah.

(UI) I give my consent (UI).

DET. No-no-no. That's -that's DNA. Don't worry about that part.

Okay.

DET. It's just this top half here. They just put two, two different a things on-
on one form. So, today is obviously a August 9, 2014.

You all should fix my phone for me too, 2014.

DET 2014.

I thought you said 13 for a second. It's 246?

DET Uh huh. And location you can just use address . So, and then
check the consent to search box, okay.

Describe items and location in detail. Okay, so phone and gallery...

DET. Well, check the box first. There you go. And, then just write your full
name right there. Okay, and then it says obviously that we can-that we
can search your and however, you describe...what is it? It's a black LG
Optimist, right?

Uh huh.

DET. Okay, so my a black and severely broken, I'm kiddin', about that part.
My black...

And damaged.

DET. ...a LG Optimist phone.

Okay, this excludes all text messages and/or phone calls.

DET. Okay, just out of curiosity why-why are you excluding that part of it?

Just for my-my own, my own want. You won't be able to read 'em
anyway, well if you gonna, if the forensic person can get 'em off here, it
doesn't matter. 'cause you should only need to search what's
pertaining to the evidence of this crime scene. (UI). Okay.

DET. : Okay, and then um, just with phone number, and then put your phone
number there.

DET. Okay. And then, where it says consent, signature on the bottom down
there.

Consent.

DET. Consent signature.

Oh, this one? Wait, where (UI)?

DET. The second line right there, consent signature. Right there...consent signature.

Oh, okay.

DET. And then just put a...

And this isn't for DNA?

DET. No, it's not. No.

....my date of birth and all that?

DET. Yes, ma'am. All that stuff.

The address to (UI).

DET. Uh huh, yeah.

I don't live there anymore.

DET. Including your apartment number.

I don't know why I put the street after, I'm just all messed up today. Shewww, Missouri. St. Louis, Missouri. Um, I just have a question. Why was the officer taken away so swiftly?

DET. I wasn't here.

Oh, okay.

DET. So I can't answer that question. A, and then just put your, oh you already got your phone down. So...

Okay.

DET. I'll take that. And, then let me...Let me take that please. Okay, so is there a-is there a password on it or anything?

Nope. It's completely open.

DET. Can I see it?

Yes sir.

DET.

Okay. If there is nothing else, the time is 2:52 p.m. and this will stop the interview.

(No date/time given)

FBI St. Louis Office

2222 Market Street

Special Agent (FBI)

DOJ Trial Attorney

(DOJ)

AUSA

Attorney

(Atty for Witness)

SA = SA

DOJ =

Witness = WITNESS

Atty = Atty

AUSA = AUSA

Unintelligible = (UI)

Unknown male = UM

PART 1

SA : Ok. We are at FBI St. Louis building right now at 2222 Market Street.
Um, I'm here...this is Special Agent , , call me , with uh,
DOJ Trial Attorney , um, AUSA , and..would
you mind saying your name?

WITNESS : .

SA : Ok, and then with her attorney...

ATTY : .

SA : Ok. So, .

WITNESS : Uh huh.

SA : As you like to be called, or it's just easier to say.

WITNESS : Uh huh.

SA : Um, I'm gonna explain to you a little bit what I do because you asked
that question so I said...

WITNESS : Ok.

SA : ...I'd address it. So..I'm an FBI Agent. And I am, my spec...we investigate
lots of things, anywhere from criminal allegations, to national security
matters. And I specifically do civil rights investigations.

WITNESS : Ok.

SA : So that includes what most people think, hate crimes, as well as human trafficking, which is the hot button issue right now, and also color of law violations. So that's kind of where we-we make, we hold the police officer's accountable to make sure they're acting within their duties.

WITNESS : Great.

SA : And when they go outside that- that's where, that's what we go ahead and take a look at.

WITNESS : Ok.

SA : So, you have spoken to St. Louis County. And they have a sep..they have a separate intention. They're invest..they're investigating a homicide. That's, not necessarily, we look at it because this is a police officer. It becomes a federal violation. Ok?

WITNESS : Ok.

SA : Do you have any questions about that? I know if...

WITNESS : Um, think I asked them already...

SA : Ok, so that answers your question?

WITNESS : Uh huh.

SA : Ok. So, I also like to just make sure I have all your information properly.

WITNESS : Ok.

SA : So you spell your..and I know how to spell but I just want to make sure it's right.

WITNESS : Ok.

SA : Can you spell your name?

WITNESS : . . .

SA : Ok. And where's your address?

WITNESS : .

SA : Ok. And how are things going there?

WITNESS : Pretty decent.

SA : Yeah, not too bad?

WITNESS : Yeah.

SA : Good. You can get. you can get to work ok?

WITNESS : Yeah.

SA : Ok.

WITNESS : (UI)

SA : And what's-what's a good contact number for you?

WITNESS : .

SA : Ok. And your date of birth?

WITNESS : .

SA : Okay. And your social security number?

WITNESS : I think oh - .

SA : Ok. ...

WITNESS :

SA :

WITNESS : Yes.

SA : Ok. Wonderful.

WITNESS : Had to just (UI) soon.

SA : Yeah, it's uh..that's how you.

ATTY :

SA : Like in ?

ATTY : Yes.

SA : Alright. Wonderful. So how are you doing today?

WITNESS : I'm ok.

SA : You're ok. And uh, I believe uh, you told Mr. that you were going you're headed to work today?

WITNESS : Yeah, I'm going to go to work when later on.

SA : Ok. So hopefully we won't hold you up too long. What time are you working at?

WITNESS : 12:30.

SA : And where do you work?

WITNESS : Um, off .

SA : Off ?

WITNESS : Yeah.

SA : Ok. What do you do there?

WITNESS : Uh, .

SA : Oh yeah? How do you like that?

WITNESS : I like it.

SA : Yeah.

WITNESS : It's decent. Yeah.

SA : Yeah. St... uh, do you work the same hours every day?

WITNESS : Yeah.

SA : Oh that's nice.

WITNESS : I was off work for a little while, but now I'm back.

SA : Ok. That's good. And things are going good, they-they were ok with you?

WITNESS : Yeah.

SA : Alright. Um, so what-what we like to do is just let you tell what happened on August 9th, in your o..what you remember you saw.

WITNESS : Ok.

SA : Er..wait I'm sorry.

AUSA : Yeah, before-before you get into that, if you could uh,there are a few preliminary things I'd like to do that I do with witnesses generally, ok? At first I want to let you know the reason we're and you probably know this already, but the reason we are meeting with you today is I know

that on August 9th of this year you talked to a police detective. But we have, you hadn't talked to the FBI yet. Ok, so we wanted to sit down and talk to you about that. My understanding is uh, that you gave a statement to the detective on (UI, microphone is being moved)...about two hours after all this occurred.

WITNESS : About a hour or so, yes.

AUSA : Yeah. Around shortly after it happened, is that fair?

WITNESS : Yeah. Uh huh.

AUSA : And um, he gave you an opportunity to give your statement. You were able...you felt like you were able to give him a-a full statement about what happened that day.

WITNESS : Uh huh.

AUSA : Ok. Did he treat you fairly that day?

WITNESS : Yeah he treated me fairly well.

AUSA : Ok. And-you were able to give him a statement about everything you knew at that time?

WITNESS : Yes.

AUSA : Ok, great. Um, but we wanted to meet you...with you, because you hadn't met with us or the FBI yet. As uh, you know it, I think it's important to note that we are prosecutors on this case. No decision has been made yet about how this case is gonna go.

WITNESS : Right.

AUSA : ...but if at some point we were to go to a trial, ok..it's possible that you would be a witness. And so we wanna kinda flesh some things out today. Alright?

WITNESS : Ok, Cool.

AUSA : One important thing is, we-we want to be able to determine, and a defense lawyer in any trial would do this. We want to be able to determine you know what specifically you actually witnessed.

WITNESS : Ok.

AUSA : As opposed to what anyone else may have told you...what anyone else was talking about in the neighborhood, ok?

WITNESS : Yeah.

AUSA : That's-that's important today, ok?

WITNESS : Ok.

AUSA : Understand that.

WITNESS : Yes.

AUSA : Uh, this is being recorded so uh, as we go forward just keep in mind that if a question calls for a yes or no answer, to say yes or no as opposed to nodding your head or shaking your head.

WITNESS : Ok.

AUSA : Ok?

WITNESS : Gotcha.

AUSA : Just keep that in mind. Alright.

WITNESS : Uh huh.

AUSA : And I may remind you at some points, it's not to be rude, just because that's so that the tape can pick it up.

WITNESS : Yeah.

AUSA : Understand? Great. Uh, feel free to ask for explanation of any question.

WITNESS : Sure.

AUSA : Alright. If you don't understand, then just ask me for an explanation and I'll ask it a different way. Sometimes I get to the end of a question and even I don't know exactly what I'm asking. Ok. So, uh, if we get to that point just feel free to say you don't understand it, and I'll try to explain it, ok. But don't answer any questions you don't understand.

WITNESS : Ok.

AUSA : Um, if uh, same thing if, at some point during this you know what we expect...what we'll do is have you go through what you saw that day. And then we'll probably follow up with some questions after that. If at

some point we misstate anything that doesn't sound exactly right to you, this is-this is you know what you were a witness to, ok?

WITNESS : Yeah.

AUSA : So if we misstate anything, it's, it won't be rude for you to say well no that's not how it happened, or that's not what I saw. So be sure to correct us if we misstate anything only on accident, ok?

WITNESS : Sure thing.

AUSA : Alright. Uh, I'll remind you this is a federal investigation, ok?

WITNESS : Uh huh.

AUSA : And it's uh, it's important that you tell the truth today.

WITNESS : Yes.

AUSA : Un...Under federal law it's a crime to lie to a federal agent in a federal investigation.

WITNESS : Ok.

AUSA : Alright. So you just need to be sure that what you're telling us today is the truth. Ok?

WITNESS : Gotcha.

AUSA : And make sure that uh, if you're not sure, or you-you know...

WITNESS : Yeah.

AUSA : ...you don't recall or whatever, you can say that. That's fine. Ok?

WITNESS : Ok.

AUSA : Uh, but just be sure that if you're and we don't want you guessing or assuming anything.

WITNESS : Ok, no assumptions.

AUSA : Right.

WITNESS : Facts.

AUSA : Exactly.

SA : Exactly.

AUSA : Just the facts that you witnessed. Alright? Ok.

SA : No biases, nothing. Got you.

AUSA : Exactly. Right. Right. That's and that's our goal here is to-is to find the truth. That's-that's why. Right. Exactly. Um, let's see uh, yeah I mean along the same lines, you know don't-don't feel like you need to fill in any blanks. Not...no witness knows everything that happened, ok?

WITNESS : Ok.

AUSA : So if you're not sure, don't feel like you need to fill in the blanks. Just tell us what you saw or heard, ok?

WITNESS : Gotcha.

AUSA : Um, this-this interview is basically a blank slate. That's what I always tell people is you know, we're sitting down here and this is our first time to actually sit down and talk to you. Ok? So as far as anything else that's been said in the past, or whatever we're not concerned about that. This is blank slate. All we want from you is exactly what you were a witness too.

WITNESS : Ok.

AUSA : Ok. And then um, something I go through with-with every witness also. Uh, basically you came here with your lawyer for an interview uh...

WITNESS : Yes.

AUSA : ...of your own free will, no one forced you to be here or anything like that. Is that fair?

WITNESS : Yes.

AUSA : Ok. No one threatened you or coerced you or anything like that?

WITNESS : No. No.

AUSA : And no one promised you anything?

WITNESS : No. No one. Yes, no one promised me.

AUSA : Right. Right. Right. Uh, you're not under the effects of any drugs or alcohol today?

WITNESS : No.

AUSA : Ok. And I don't think that you are, just I have to ask that, ok?

WITNESS : Gotcha.

AUSA : Um, is there anything else that would affect your ability to be accurate and truthful here today?

WITNESS : Um, not that I can think of.

AUSA : Ok. Alright. Um, ok, that's basically what I wanted to go through. That's just the preliminary stuff and I think uh, will kinda wanna ask you about what you saw that day, and I'll have her...

: Can I-can I just say one other thing?

AUSA : Sure. Uh huh.

: If any point you need a break or you want to go out, I know you came with your mom, if you want to talk to her at any point. I know that we're at the FBI and there's security and all that.

WITNESS : Yeah, but...

: You feel free us know if you don't want to talk anymore or if you want a break to talk to your mom, ok?

WITNESS : Ok. Sure thing.

: Uh, at any point if you...we are not trying to suggest any answers. So if you think that...if you get the feeling..

WITNESS : Impression that...

: Impr...right...impression that we're trying to get you say something. We're not at all.

WITNESS : Got you.

: Um, so we want you as-as just said, to make sure you correct us, 'cause we are just looking for the truth. And along the lines of those inside assumptions, so the example that I like to give. I just want to know what you saw and what you heard. So like if you look outside, and you see that the driveway is wet, we just want to know that you saw the driveway was wet. A lot of times people will say oh it rained...

WITNESS : It rained so...

: Right.
 WITNESS : Ok.
 : But like really...
 WITNESS : I understand that.
 : ...it coulda rained, it could have been a sprinkler, somebody coulda poured you know some...a bucket of water, who knows.
 WITNESS : Ok. So, no fill in the blanks.
 : No filling in the blanks.
 WITNESS : Ok.
 : It's totally human nature to fill in the blanks.
 WITNESS : Yeah. Uh huh.
 : Right? We all wanna do that. That's what happens in circumstances. But we really just want to know what you saw, and what you yourself heard. Because if you testify at a trial, I mean, can tell you-you know, defense attorneys are going to make a big deal about what you actually saw and heard versus what blanks you're filling in.
 WITNESS : Gotcha.
 : Ok?
 SA : And also, this door is not locked from this side so you can just...you don't even need me to open it.
 WITNESS : Ok.
 SA : Just for your, you know fire awareness. Ok, so, you know why we're here today. We're here to discuss August 9th, 2014. So just take us through where you were that morning.
 WITNESS : Ok. I'm in my room getting re...uh...getting ready for work. And I get ok, I'm sorry.. I get a phone call from earlier sayin' that she's gonna be there, couple hours passed so really I was supposed to be gone already. A couple hours passed, I finally get a phone call and it's the exact same moment that I see my phone ringing, I heard a screech in the middle of the street. Same yeah, same thing, I either saw the phones, heard the screech, it happened at the same time.

SA : Ok.

WITNESS : And so, I looked out of my window and saw the police cruiser sitting in the middle of the street. And I saw my _____, my manager vehicle in front of it. So it was facin' um which way is this? East...towards, um, I don't know directions but it was facing towards West Florissant...oh perfect (laughs) it was facing, where's my apartment at?

SA : If you want to use this pen right here...

WITNESS : Yeah. Ok, this West Florissant right. Ok. It was facing towards West Florissant, so...

SA : Can you circle your apartment building? Or kinda where...if you can, where you are in the apartment.

WITNESS : Pretty sure this me. Yeah. Think I'm right there.

WITNESS : If you're not sure...

WITNESS : Yeah, this my house.

WITNESS : ...I don't want you to guess.

WITNESS : No, this is definitely it, 'cause it the leasing office right there.

WITNESS : Ok.

WITNESS : That's the first building, around the little circle, 'cause car was right there, his body right there.

SA : Ok. So, go ahead.

WITNESS : That's me right here. Ok, so as I look out my window, I see oh I'm sorry, I heard the um, the phone ring and said _____ and I heard the tires screeching in the street. So I just automatically assumed she screeched for some reason or...

SA : Ok.

WITNESS : ...got in some kind of car accident or something. So I just automatically look right out in my window and right now I'm lookin' at the window to the right of me. And I see the police car in the middle of the street. And I see a young man standin', well, I can't see his whole body, but I see the top of his head, standin' next to the front of the police door, on the driver's side. And from that angle, you know, you cannot tell what's

goin' on. So I assume, I don't, well not gonna assume...I couldn't really tell what was goin' on, it was just a lot of movement goin' on by the window of the car. And I'm lookin' at pull into the driveway after a shot was fired. Now, the shot was fired out of the window, and then (talks quietly to herself)okay let's see (UI) ok, I turned around, got my purse, I gathered some items 'cause I was already gettin' my purse together. I gathered some items into my purse and turned right back towards the window. And at this time Michael was runnin' down the street and Darren is chasing him. So, I'm- I'm looking at the officer chase Michael down the street, and my attention gets turned to uh, Monte Carlo or whatever car whatever vehicle was in the middle of the street 'cause I then saw Dorian duckin' behind the car.

SA : Ok.

WITNESS : So, I saw him. And he was also um, duckin' towards or kind of um, how do I...what's the word...crouching and walkin' towards um, West Florissant area 'cause the car was facin' that way. And they were runnin' right past the car behind 'em. So I initially thought that he was in trouble and he was the one hidin'. So, at that point, I turn, go to the next window. 'Cause you can't really see after, from that window anymore. And, go to the next window. And at this time, I heard another shot fired while they were running. After that, he then turn, had his hands in the air, by the time that I saw him have his hands in the air, he got shot I heard two shots like specifically in my head I saw those two shots. And he dropped down like kinda drop hands first, then knee, then face and everything else. So that's why I did not see him move towards the police at any time.

SA : Ok. And then what did you do?

WITNESS : Ok, then after that. I just I immediately ran and got my phone. It was on the charger for like, it was horrible, it was cracked everywhere, so it was on the charger, so surprisingly I even got to the camera, and by the time I walked, actually outside of my door was two police officers on the scene.

SA : Ok.

WITNESS : So that happened really quickly. And the other police officer's car was right here, wait a minute it was right here. And the first one was over here. So now it's two police officers on the scene, and he's standin' over the body. Both of them, sorry...

SA : Ok.

WITNESS : ...are standin' over the body. But...I know that Darren Wilson was the one who shot him because they-they didn't look similar. One was tall and skinny and the other one was kinda shorter, and darker and so he was standin' on the right side, and at that moment, I was just video tapin' him and cryin' at the same time um, just walkin'...

SA : Sure.

WITNESS : ...just walkin' and just pacin' next to the body. And just lookin' like weirded out kind of like not-not I didn't think that was how police look like mostly they look confident after...

SA : Uh huh.

WITNESS : ...you know something...he just looked kinda weirded out. And-and at no point did I see any injuries on him as well.

SA : Ok.

WITNESS : And um,so after that, just recorded the whole scene that took place um, minutes after that. Um, so I saw everything that happened afterwards as well.

SA : Ok.

WITNESS : And that includes when they put the tape around, they kept backing the tape up more and more and more as people were drawin' closer.

SA : Uh huh.

WITNESS : And um, people are just wantin' to know information like what's goin' on? His family got in the...

SA : Right.

WITNESS : ...middle of the street and just you know so people were tryin' to figure out what happened. So before I talked to any media, I gave my statement to the police in um, his vehicle. And that was located right here in this parking lot.

SA : Ok.

WITNESS : So, yeah we were sittin' there, he has my video and recording too.

SA : Ok.

AUSA : He-he audio recorded your statement that day?

WITNESS : Yes.

AUSA : And you had an opportunity to tell him everything that you knew at that time.

WITNESS : Yes.

AUSA : Ok.

SA : But, I just wanna ask up some follow ups before you get in just-just a little clarifying. So if you can do me a favor...so...let's see. Can you...I see you circle can...and, that-that's- that's where your apartment is?

WITNESS : Yes.

SA : What floor is that on?

WITNESS : The third one.

SA : The third floor? So, your-you hear the screech.

WITNESS : Uh huh.

SA : And you say you look out the window.

WITNESS : Yes.

SA : And the phone rings at the same time. What which...

WITNESS : The side one.

SA : The side one right there.

WITNESS : On this window right there.

SA : Ok, and-and you saw where's ...where do you see ?

WITNESS : She's about right here. And the police was about right there. Here...

SA : Ok, draw, let you view, however you want to draw the police..if you want to make an X.

WITNESS : Ok.

SA : Or you wanna draw a rectangle.

WITNESS : He just a straight line 'cause his car was kinda slanted here...

SA : Ok and which way was he, what...which way was the driver? Like make it an arrow.

WITNESS : Ok.

SA : Or there, whichever.

WITNESS : Sure. It was-it was turn..

SA : Faced that way.

WITNESS : Facing that way, yes.

SA : Ok. So you see the officer's car like that.

WITNESS : Yes.

SA : And you said you just saw it moving, you, um, and where was...

WITNESS : No, I didn't, I hadn't seen it move by the time I looked out it was already stopped in the middle of the street.

SA : I'm sorry, let me but you saw the car, you saw Mike standing next to the car.

WITNESS : Yes.

SA : Now...

WITNESS : I could see the top of his head and everything.

SA : ...did you know Mike before this day?

WITNESS : I didn't know that I knew him.

SA : Ok.

WITNESS : And I don't-and I don't I still don't, of course not know his personally so, before this day it was just me and a mutual friend of him, Mike's, his name is _____ And we were at his house. So Mike was sittin' in a corner, kinda just sittin' to hisself. I didn't know that it was him. I didn't even know his name.

SA : Gotcha.

WITNESS : He just told me that I had met the guy before.

SA : Ok.

WITNESS : Basically, so I didn't know him personally.

SA : Fair enough. And where does live?

WITNESS : He stay somewhere in Northwinds.

SA : stays in Northwinds?

WITNESS : Yeah.

SA : Do you know-do you know what his address is?

WITNESS : I don't know it. But it's-it's like on the...I know that it's on the right side of the Northwinds complex.

SA : Ok.

WITNESS : If you're goin' this way toward it.

AUSA : Is that ?

WITNESS : I don't know his last name.

AUSA : Or ?

WITNESS : I only know the first name.

AUSA : How long have you know ?

WITNESS : Um, months.

AUSA : Months?

WITNESS : Since last year. I-I know I met him last year but I don't think it's been a full year, probably that I've known him.

AUSA : Close to a year.

WITNESS : Yeah, I might him through my stepbrother.

AUSA : Ok. And uh...

WITNESS : Who also stays in Oakmont.

AUSA : Have you talked to about this as well, since all this happened?

WITNESS : Yeah, we've spoken.

AUSA : Ok. And then uh-uh, Dorian Johnson. I think you referred to him as DJ?

WITNESS : Uh huh.

AUSA : And you did you know him through ?

WITNESS : No I met him um, actually movin' into these apartments.

AUSA : Alright.

WITNESS : It was probably like the first person I met there which is ironic.

AUSA : You moved in about a month before...

WITNESS : Yeah.

AUSA : ...all this happened. You met around then?

WITNESS : Yes. No-no-no I'm sorry. I met ...

AUSA : I'm sorry.

WITNESS :awhile ago. Yeah.

AUSA : I meant Dorian.

WITNESS : Yeah.

AUSA : Around then. And, how did you meet Dorian?

WITNESS : I was walkin' down the street and I was like I didn't know anybody so I spoke to him and said hey I'm going to be your new neighbor. That was pretty much it.

AUSA : And did-did the two of you hang out?

WITNESS : Yes.

AUSA : After that.

WITNESS : Yes.

AUSA : Ok, about how often?

WITNESS : Um, well I would see walkin' down the street, would invite him over, just hang out. So probably once a week or every other week after that. Not too often, but not too rarely.

AUSA : After you met him...

WITNESS : Yeah.

AUSA : ...you're hangin' out every week or every other week?

WITNESS : Yeah. 'Cause I know that he lived in Canfield. There was some more people that I knew here.

AUSA : Have you also talked to Dorian about this?

WITNESS : I haven't seen him since it happened.

AUSA : You haven't. Ok. But you have talked to ?

WITNESS : Yes.

AUSA : Ok. And um, just to kinda follow up a little bit on August 9th...

WITNESS : Uh huh.

AUSA : You said was comin' to pick you up for work.

WITNESS : Yes sir.

AUSA : Were you working in Illinois at that time?

WITNESS : Um, our office is not in Illinois but we um, our job is based out of Illinois, 'cause we can only do it in Illinois.

AUSA : And but is that...

WITNESS : ...regulation of laws...

AUSA : ...the same job you have on now?

WITNESS : Yes.

AUSA : Ok, so you still have that same job?

WITNESS : Yeah.

AUSA : Alright. And uh-uh, that's on there in the city?

WITNESS : Yes.

AUSA : Ok. Um, at what time were you going to work that day?

WITNESS : Well, we were supposed to...I was supposed to be at the office at eleven or something or...I know no-no, ok we were supposed to be at the office at either 12:30 or 1:00, but she was supposed to pick me up a little

earlier than that. So I think she guess she was supposed to be there around elevenish. But, so she was comin'. She was callin' tellin' or textin' sayin' she was on her way and then I finally got the phone call sayin' probably uh, lettin' me know she was here.

AUSA : Ok. You got a phone call from her?

WITNESS : Yeah. But we never got to actually talk on the phone because right as that happened, it was like gunshots and everything was goin' on so, and I couldn't hear, I'm like hello-hello-hello..she wasn't sayin' anything. And she later just told me she was actually tryin' to get a camera out when she first saw what was goin' on from in front of 'em. (UI)

AUSA : Hmmm.

WITNESS : So that's why she has accidentally called me.

AUSA : Ok. And again, let's not worry too much about what she told you later.

WITNESS : Ok, sure.

AUSA : 'Cause we don't want to mix up what you knew at the time, and what someone told you, ok?

WITNESS : Ok.

AUSA : That's-that's uh, um, alright so she-she called at about the same time that you heard the tire squeal?

WITNESS : Yeah.

AUSA : Was that right? And were the first shots around that time as well?

WITNESS : Yes.

AUSA : Ok, they were all at about the same time.

WITNESS : Yes..

AUSA : And uh, but you actually, you didn't actually connect with when she called, the two of you didn't actually talk at that time?

WITNESS : Yes.

AUSA : But you did that call, is that right?

WITNESS : Yes. Yes sir, we did not talk.

AUSA : Ok. Alright.

WITNESS : (UI)

AUSA : Did you-did you actually see did you actually see the police vehicle when it screeched it's tires?

WITNESS : No, I saw it after it was already in the middle of the street.

AUSA : Ok. Uh, did you see it uh, swerve towards the two young men who were in the street?

WITNESS : Uh-uh.

AUSA : You did not.

WITNESS : No.

AUSA : And again, you just have to remember to say yes or no.

WITNESS : Oh I'm sorry, yes. I'm...no, I did not see that.

AUSA : You did not see the police vehicle swerve...

WITNESS : Right.

AUSA : ...at the two young men?

WITNESS : No.

AUSA : Ok. Um, but you did hear the tires squealing?

WITNESS : Yes.

ATTY : She also identified there's a mark in the street where the tires screeched at.

WITNESS : Yes.

AUSA : Ok. Alright.

WITNESS : Right there.

AUSA : Right there. Um, and then when you looked out you could see Michael Brown on the driver's side of the police vehicle?

WITNESS : Yes.

AUSA : Something was going on there?

WITNESS : Yes.

AUSA : Like in the past you've described it as reaching or hassling through the window something like that?

WITNESS : Yes.

AUSA : Is that fair?

WITNESS : Only because it seemed as he was if he was tryin' to yank away.

AUSA : That Brown was tryin' to yank away?

WITNESS : Yes.

AUSA : Um, looked like they were arm wrestling?

WITNESS : Yes.

AUSA : I mean, that's kind of how you described it. Ok. Um, so there was some sort of a tussle or a struggle between Mr. Brown and the police officer.

WITNESS : Yeah.

AUSA : Alright. Um...

WITNESS : You could-you could just tell.

AUSA : I think you said that Brown was a bigger fellow.

WITNESS : Yeah.

AUSA : And he was-he was able to get away.

WITNESS : Yes.

AUSA : Alright. Um, while watching this you heard additional gunshots?

WITNESS : Yes.

AUSA : Ok. And uh, those were uh, a couple shots were fired before Michael Brown fled?

WITNESS : Yes.

AUSA : Is that right?

WITNESS : Yes.

AUSA : Ok.

WITNESS : Yes.

AUSA : Alright.

WITNESS : (UI)

AUSA : And I- I think you stated before that a couple of those uh, hit Mr. Brown. And one hit a building on the opposite side of you.

WITNESS : Yes.

AUSA : Is that correct?

WITNESS : Yes. The very first shot.

AUSA : Ok, and you...

WITNESS : ...that I...

AUSA : Did you witness that that day? Or is that something that someone had told you about?

WITNESS : No. Um, I'm sorry what happened was the shot came out the window. I didn't originally see where it went.

AUSA : Mm hm.

WITNESS : But, later on I saw the bullet hole in the wall, so of course I...

AUSA : Ok.

WITNESS : ...did the connection, but I did not see where it went at the time as it was happening.

AUSA : Alright.

WITNESS : I saw the bullet.

AUSA : But Mr. Brown did then get away. He was able to pull away from the side of the police car? Is that right?

WITNESS : Yes.

AUSA : Ok. And um, you mentioned before that the...this seemed to upset the police officer, he got and chased Mr. Brown.

WITNESS : Yes.

AUSA : Now around that time I think you told us today that you turned around and you got your purse...

WITNESS : Yes.

AUSA : ... and uh, went to the living room window.

WITNESS : Yes.

AUSA : Is that right? Ok. Um, and at that time you saw Mr. Brown running down the street?

WITNESS : Yes.

AUSA : Ok.

WITNESS : And so at the, oh I also want to point out, at the time of the actual um, the fatal shots...what I-I did not see Darren Wilson actually holding his gun and shootin', I saw when I could only see Brown only because it's a little part in my building that blocked him. So I'm seeing Brown fall to the ground with his hands up.

AUSA : Ok, you couldn't actually see the officer...

WITNESS : Yes.

AUSA : ...shooting?

WITNESS : Yes.

AUSA : You only saw...

WITNESS : But I saw him run towards him, and he stopped basically exactly where I couldn't see him anymore, but I saw Brown.

AUSA : Ok. So you saw Michael Brown but you did not see the officer at the time those two shots...

WITNESS : Yes.

AUSA : Alright. And uh...

SA : Just to clarify, so you were at this window to start you said living room window does it face this way?

WITNESS : Um, my living room window's in the very front right there, and I was..I went basically went to three windows that day tryin' to be nosey, so I started the corner one, looking that way and I then I went to the one right uh, perpendicular to it, on my front, in the front of the building.

SA : Mm hmm.

WITNESS : Which is um, standin' right there, and then is when I went to living room to peek out the blinds.

SA : Ok.

AUSA : And you we talked about you initially looked out that west facing window. That's your bedroom window?

WITNESS : Yes.

AUSA : Ok. And then uh, alright. And at some point you saw the officer get out of the vehicle, he was running , and uh, was he-he was chasing Mr. Brown at that time?

WITNESS : Yes.

AUSA : And did you see Mr. Brown at that time?

WITNESS : Yes.

AUSA : Ok. And you saw Mr. Brown at the side of the police vehicle?

WITNESS : The br...I saw the very-a very..briefest view of Brown.

AUSA : Uh huh.

WITNESS : Until he got blocked by the piece, and I saw the officer, and then I could not see the officer anymore and I could see Brown.

AUSA : Ok.

WITNESS : So it happened in that kinda way.

AUSA : And so when was the first time that you saw Michael Brown during all this?

WITNESS : By the vehicle.

AUSA : Alright.

WITNESS : He was by the vehicle.

AUSA : By the when he was by the police vehicle and they were wrestling there?

WITNESS : Yes.

AUSA : Ok. Uh, at some point you saw a black Monte Carlo. Was that in front of the police vehicle?

WITNESS : Yes.

AUSA : Ok.

WITNESS : Oh no-no, I'm sorry. The Monte Carlo was... if the police vehicle was right there, it was actually behind the police vehicle.

SA : Go ahead and draw it.

WITNESS : Sure thing.

SA : Whatever you wanna do. Yeah, just go ahead.

WITNESS : I keep losin' it. Ok so this is the police vehicle.

SA : Uh huh.

WITNESS : It was right here in front of my building.

SA : Ok.

WITNESS : So that's where the car was parked.

SA : Ok. And I'm just gonna make, I'm gonna put um...

WITNESS : A box or something.

SA : No, I'm just going to say MC, so we know that's you mean Monte Carlo.

WITNESS : Ok. Yeah.

AUSA : Alright, so that was...

WITNESS : And there was also another um.. vehicle...

SA : Go ahead.

WITNESS : ...at the scene. Ok. So. (talking quietly) vehicle was right there. I believe that it was somebody right behind her, and the other vehicle at the scene was on this side of the street.

AUSA : Ok.

WITNESS : But not right there, I'm sorry let me put that...

SA : That's ok.

WITNESS : (UI)

SA : That's fine.

AUSA : You have-you have to keep your voice up so the recorder can hear you, ok?

WITNESS : Ok, I'm sorry. 'Bout right there.

SA : Oh, don't worry about it.

AUSA : You talked about uh, Dorian tryin' to hide behind the Monte Carlo.

WITNESS : Yes.

AUSA : Right. And uh, he was ducking down and hiding?

WITNESS : Yes.

AUSA : Um...

WITNESS : And the Monte color, uh, Monte Carlo, I'm just not sayin' it right for some reason..Monte Carlo doors were open at the time.

AUSA : Mm hmm.

WITNESS : So.

AUSA : And he was back towards the back of the Monte Carlo? Is that right?

WITNESS : No he was towards the front of it.

AUSA : He was towards the front of the car?

WITNESS : Yes.

AUSA : But he was I think you described it as him creeping...

WITNESS : Yes.

AUSA : ...sort of west...

WITNESS : Yes.

AUSA : ...ward...

WITNESS : Yes.

AUSA : Ok.

WITNESS : He start...it's like you can say he started from the back he was goin' towards the front of the door.

AUSA : Uh huh.

WITNESS : Which were was open, so I thought he was just gonna jump in and take off, but that didn't happen.

AUSA : Uh huh.

WITNESS : I also saw at least two people in that vehicle.

AUSA : Alright. And, but Dorian is sorta creeping along, down on his knees westward.

WITNESS : Or not on his knees but like, yeah.

AUSA : Oh creepin' like crouched down?

WITNESS : Yeah. Yes. He was crouched.

AUSA : Ok. Alright. Good.

WITNESS : ...west...

AUSA : And I'm glad you corrected me, that's a good example, ok. If-if there's anything that's not exactly right feel free to correct me, ok?

WITNESS : Yeah.

AUSA : And so he would have been creeping away from the direction of the police officer...

WITNESS : Exactly.

AUSA : ...who was chasing Mr. Brown?

WITNESS : Yeah.

AUSA : Ok.

WITNESS : They were actually going just like this the police officer right here as he's...

AUSA : Ok.

WITNESS : ...kind of right there.

AUSA : Ok.

WITNESS : ...he passed him right up.

AUSA : Alright. And so as they, as the police officer and Mr. Brown continued running east, Dorian had his back to them as he was creeping along the Monte Carlo there?

WITNESS : Yes.

AUSA : Ok. Alright. (clears throat/pauses)...

WITNESS : That-that scene, 'cause that's really the only person that I knew. So that scene was the...particular and that's where my attention was drawn there.

AUSA : And you...so your attention was drawn to the Monte Carlo and what DJ or Dorian...

WITNESS : Exactly.

AUSA : ...was doing, ok.

WITNESS : Yeah.

AUSA : I think before you'd said that it is was ten, twenty, thirty seconds you were focused on what he was doing in the Monte Carlo, is that right?

WITNESS : Yes.

AUSA : Ok. At some point you indicated also the police officer's face was completely red, I think you told Detective that back on August 9th, that as he was approaching Mr. Brown, his face was all red. Is that right?

WITNESS : Yes, and it seemed that it was red of anger to me though.

AUSA : Ok.

WITNESS : Not of bruises or anything.

AUSA : Ok. But I don't want you to uh, I mean what makes you think that?

WITNESS : Only because it was like a-a pigmentation kind of like...

AUSA : Uh huh.

WITNESS : ...it wasn't like a-a big red blotch you know what I mean, it was just like a pigmentation of red.

AUSA : Ok.

WITNESS : Like a, you know when you hold your breath kinda red.

AUSA : Ok. But his face was all red. Is that right?

WITNESS : Yes.

SA : So you're sayin' more like all over his face versus in one particular spot?

WITNESS : Yes. That's what I was sayin'.

: So can I ask you just , when you say r..red because of anger, how do you know it's not red because of any other emotion? I mean I understand the distinction between red and bruised.

WITNESS : Uh huh. Yeah.

: But how do you know that you saying anger. How do you it's not, I mean...

WITNESS : Only because...

: Being frustrated, hot, or scared...

WITNESS : ...when people...

: ...or anything else.

WITNESS : Well it could be.

: It could be.

WITNESS : Well yeah I shouldn't associate any emotion particularly with it...

: Yes.

WITNESS : But I was just thinkin' it was more 'cause of maybe emotion or maybe wind hitting your face or something.

: Ok.

WITNESS : Rather than an impact or something.

: Ok, so you're just distinguishing between like you said a-a injury, impact versus emotion?

WITNESS : Yes.

: Ok. But there's nothing that you can tell based on what you saw what kind of emotion.

WITNESS : Yeah.

SA : Like other facial expressions or anything like, you know other things that would indicate.

WITNESS : I mean only as he was runnin' that's the-that's just probably the clearest look I got of him.

SA : Ok

: Ok

WITNESS : ...as he was runnin' down the street. And by the time I came out the door was two people standin' there. And I had already started video recording so I didn't fixate on it too much.

SA : That's fine.

AUSA : Mr. Brown turned towards the officer at one point and uh, is that right? Mr. Brown afte... as as

WITNESS : Oh Mr. Brown, I'm sorry...

AUSA : Yes, Mr. Brown.

WITNESS : I was thinking (UI, talking over one another).

AUSA : Michael Brown turned back, turned back towards the officer.

WITNESS : Yes.

AUSA : Is that right? Ok. And I think you said before that um, uh, in one of your media statements that he tried to put his arms up and you sort of gestured how he did that. That they were sort of can you-can you...

WITNESS : Yes.

AUSA : ...kind of...

WITNESS : 'Cause as I saw it...

AUSA : ...indicate for me.

WITNESS : Yes. As I saw it, it was kind of like a, this like I didn't see it get all like all the way up there so it was like...

AUSA : Ok. He wasn't reaching all the way up in the air?

WITNESS : Not like all the way, like not all extending. So it was like partially is what I was tryin' to get at when I said that.

AUSA : Basically his hands were gesturing or hi-his hands at shoulder level?

WITNESS : Exactly.

AUSA : Ok. Not up above his...

WITNESS : ...not here...

AUSA : Not up above his head, or up...

WITNESS : Yes.

AUSA : ...up other than that.

WITNESS : I didn't see that.

AUSA : Ok.

WITNESS : Or any higher than that.

AUSA : Alright. And I think you said that Brown's hands slowly went up. But did he-he didn't get 'em all the way up before the last shot. Is that right?

WITNESS : 'Cause when I...the final...or the one...the two shots that I remember distinctly as he was falling down...it was like two shots hit him and then it was just-it just went down. So if he did have it up, there was no way I saw that 'cause I just saw it when he went down.

AUSA : You just saw him as he was going down?

WITNESS : Yes.

AUSA : Ok. And at that point he didn't have his hands all the way up?

WITNESS : Yes.

AUSA : Ok. Um, you uh, as I..I think you indicated today that Mr. Brown did not you didn't him move towards the officer at all?

WITNESS : I didn't.

AUSA : Ok. Um, and when Mr. Brown fell to the ground, his arms were at basically at ninety degree angles?

WITNESS : Well that...

AUSA : as he was laying on the ground?

WITNESS : ..his..um..yes, his arms dropped first. Then, to the knee, then his body.

AUSA : Ok. And how were his arms when was laying there in the street?

WITNESS : Think they fell like behind him kind of so they were on the ground, his face like that.

AUSA : Ok. His arms were at his sides?

WITNESS : Yes.

AUSA : Ok. And so his hands would have been down around his hips, and his arms were at his sides, when he hit the ground?

WITNESS : When, while he's on the ground.

AUSA : Ok. Alright. Ok, now I want to um, you know as we go forward here, um, we talked about this a little bit at the beginning. I just wanna you know be clear. I wanna kinda go back through this in some detail. We've done some follow up questions, but I wanna go back through this in some detail uh, just based on some uh, previous statements you made to the detective and to the news media ok? And I know there are a quite a few of them, we tried to go through each of those, ok? Um, but uh, basically as we said before we need to we need to make sure that we're uh, getting what you actually witnessed versus what anyone would have told you or what you would have heard, ok?

WITNESS : Ok.

AUSA : And I just wanna go through you know in detail here what you-what you saw that day, alright? Um, and you know in your I noticed in your initial interview actually you mentioned to the detective, and we already talked about it a little bit today...you mentioned to the detective that uh, the lady across the way's window was shot? And then he asked you about that, whether you had actually seen that. You said no, that..you know people told you about it later, right? And I think that's a good example.

WITNESS : The detective window? I'm sorry..I don't understand your question.

AUSA : Yeah, when-when you first met with the detective on August 9th, uh, having listened to that statement, basically that day you had mentioned to him that a lady's window across the way had been shot during this..

WITNESS : Oh ok, yes.

AUSA : You remember that?

WITNESS : Yes.

AUSA : Ok. Yeah. I'm sorry I didn't mean to confuse you. Um, and he asked you a little more about that, but then you made it clear that people had told you about that, that you didn't actually see that happen.

WITNESS : Yes.

AUSA : Is that right?

WITNESS : Yes. (UI)

AUSA : Ok, and that-that's an example of what I'm talking about here, ok? As we...

ATTY : Well let me just interject for a second but you heard that shot, right?

WITNESS : Yes, that shot.

ATTY : She heard it hit the building.

AUSA : Right. And ok, you actually heard the shot...

WITNESS : Yes.

AUSA : ...hit the building?

WITNESS : But, I did not physically see it. No.

AUSA : Ok. And that's fine. That's, but that's what we need to...that-that's just an example of what I'm talking about here..

WITNESS : Ok.

AUSA : If there's something you actually didn't see and-and I know you talked in an initial interview a lot about hearing different shots at different times.

WITNESS : Yeah.

AUSA : Right? And, we need..wh-what we're trying to do is just parse out 'cause it wasn't real clear from prior statements exactly what you heard that day...what you saw that day..

WITNESS : Got you.

AUSA : ...and then, just what other people may have told you.

WITNESS : Right.

AUSA : And just like as we were sitting here today at one point you were talking about how la-later told you...

WITNESS : Oh ok, yeah.

AUSA : ...that the reason you didn't connect on the phone...

WITNESS : Ok yeah.

AUSA : ...was because she tried to take a picture with her phone and you didn't...you never connected on the phone. Now you knew that later.

WITNESS : Yeah.

AUSA : And that's fine. I mean, we want to know that too. But p...we just need to be able to determine..

WITNESS : Just what happened...

AUSA : ...that's because she told you that. Not because you saw that or you...

WITNESS : Ok.

AUSA : ... knew that's how it happened. You understand what I'm sayin'?

WITNESS : I understand, yes.

AUSA : Ok. Great. Alright. Uh, my understanding again is that called you at the same time as the tires squealed. You heard the tires squeal?

WITNESS : Yes.

AUSA : ...and then uh, the first gunshots happened at the same time.

WITNESS : Yes.

AUSA : Is that right? And how many gunshots did you hear at that time?

WITNESS : I heard like about two.

AUSA : Ok, and, uh, you did not actually see those shots though?

WITNESS : No.

AUSA : Ok. And...but all of these things are going on at the same time.

WITNESS : ...But it came...

AUSA : She's calling you...

WITNESS : I'm sorry wh-when I say I didn't see that, one came out of the window, I didn't see where it hit.

AUSA : Mm hmm.

WITNESS : That's what I was tryin' to say. I did not see where it impacted at.

AUSA : Ok.

WITNESS : But then I later saw the police crowded around the building. (talks quieter, UI)

AUSA : Ok. So you're sayin' those first shots that you heard at the times the tires squealed, you did actually see those come out the window?

WITNESS : Yes. At first I seen 'em.

AUSA : Ok. Alright. Alright. And...

WITNESS : (UI) yeah.

AUSA : Ok, so...you-you...ok..and so you that was at the same time th-the tires squealed..you heard those shots?

WITNESS : Yes.

AUSA : Alright. And so did you actually see the police vehicle when it came to a stop...

WITNESS : No.

AUSA : ...that it squealed. Ok. But you did see the shots?

WITNESS : Yes.

AUSA : Which occurred at about the same time as the squealing tires?

WITNESS : Yes.

AUSA : Ok. Um, you were looking out your west...

WITNESS : It all happened so fast.

AUSA : ...facing window? Yeah.

WITNESS : Yes.

AUSA : No, I understand. And this is all going on at the same time right? There's a lot going on.

WITNESS : Yeah.

AUSA : Is that fair?

WITNESS : Uh huh.

AUSA : Ok. You refer...and that's when you're looking out your bedroom west facing window?

WITNESS : Yes.

AUSA : Ok. Um, and then as-as the officer got out of his car, that's when you turned and grabbed your purse to go to the living room window. Is that right?

WITNESS : Yes.

AUSA : And so from the time that you grabbed your purse there, until the time you got to the living room window, you actually did not see what was going on at that time out on the street. Is that right?

WITNESS : Okay, yes. But I saw from when he was by the car running. So I got to it in time from me to see him running.

AUSA : Ok. And that's in front of the living room window?

WITNESS : Yes.

AUSA : Ok, but you didn't see what happened between there?

WITNESS : Yes.

AUSA : Is that right?

WITNESS : Yes.

AUSA : Ok. So you go to the living room window and is that a separate window from the-from the balcony door?

WITNESS : No, that is the balcony door.

AUSA : Ok there's a window in the balcony door. And that's the window you're talking about?

WITNESS : Yeah. And it's just a clear balcony door.

AUSA : When you get there, the uh, blinds are actually closed. You had to open the blinds on the door? I think you've mentioned that previously before, do you recall that?

WITNESS : Um, probably trying to say I had to scoot the blind over, maybe?

AUSA : Yeah. Yeah. I think you said before to uh, Detective ..

WITNESS : I mean they were closed.

AUSA : Yeah, the blinds were closed. You had to open the blinds.

WITNESS : Yeah.

AUSA : Ok.

WITNESS : I didn't, well I didn't if I said that I didn't mean like physically open them like-like draw the little string or anything, I just moved it to the side.

AUSA : Moved it to the side?

WITNESS : Yeah.

AUSA : Ok. Alright. But safe to say then, from the time you left the bedroom window until the time you were able to move the blinds to look out, you weren't able to see what was going on outside at that time?

WITNESS : Yes.

AUSA : Ok. And I'm just trying to get the time frames down...

WITNESS : Gotcha.

AUSA : Ok? Alright. Ok. Alright, um, and um, in-in that August 9 interview you mentioned that...you said something about the way that you heard it, was that Brown was shot while he was trying to pull away from the guy. Do you recall that-that?

WITNESS : Yes, that was the first shot I was talkin' about.

AUSA : Ok, and was that something that you heard from somebody...that someone said Brown was tryin' to pull away? At the time the first shots happened? Is that something that someone would have told you, or is that something that you actually would have witnessed at the time the tires squealed and the first shots.

WITNESS : Well, that's-that's actually what I witnessed because that's what I was talkin' about when I said it was like a tussle...

AUSA : Mm hmm.

WITNESS : ...then that first shot...the first (UI)

AUSA : And you witnessed Mr. Brown at that time and the officer tussling?

WITNESS : Yes.

AUSA : Ok.

WITNESS : Of course I had a limited view of that. But what I...from what I could tell, but as far as you sayin' something like um, he was trying to pull away, that is something that may have been said later on as well, but that is something that I saw as well.

AUSA : Ok. Alright. But you're sayin' that you actually did see that that day?

WITNESS : Yes.

AUSA : Not just something...

WITNESS : Yes.

AUSA : ...that's not just something that you heard later?

WITNESS : Definitely.

AUSA : Ok. Um, you uh, indicated in that interview before you actually exit the house on the balcony, you heard additional shots.

WITNESS : Yes.

AUSA : Is that right? Ok. You...so you heard those, but didn't actually see them at that time?

WITNESS : Yes.

AUSA : Ok. You heard the shots, but didn't see them.

WITNESS : Yeah.

AUSA : And so that's the second group of...

WITNESS : There were a lot of shots. Yes.

AUSA : ...that's the second group of shots.

WITNESS : Yes.

AUSA : Ok. Uh...

WITNESS : 'Cause at that time, I was goin' to get my phone.

AUSA : Mm hmm. Ok. At the patio door you heard additional gunshots?

WITNESS : Ok, wait a minute. Wait let me get the timeline right. When I was at the...by the time I was at the window, there had already been the shots. So the door, by the time I went and got my phone, I'm pretty sure the shots were over because he was lying in the street dead already.

AUSA : Ok.

WITNESS : So yeah, by the time I was getting my phone, the shots were over, and I- I think they had been done.

AUSA : Ok, so you didn't go back get your phone until after Michael Brown was laying in the street?

WITNESS : Yes.

AUSA : Alright. But uh, at the patio door though you hear these additional gunshots, you didn't see those shots, you heard them?

WITNESS : At the...yes.

AUSA : Ok.

WITNESS : Now, the...oh, the additional gunshots as I was movin' from my bedroom to the living room.

AUSA : Ok. And to the patio door there? But that's where you were going, in the living room?

WITNESS : Yes.

AUSA : Alright.

WITNESS : And then, as I got to the door, that's the moment that I saw when Brown turned around.

AUSA : Ok. Um, you'd mentioned in that interview that at one point you were kinda tryin' to stay behind the door because of the shooting that was going on. Is that right that you were sort of trying to stay behind the door while the shooting was going on?

WITNESS : Behind my balcony door.

AUSA : Yeah.

WITNESS : Yes.

AUSA : Ok. Um, he...I think you'd even mention in that interview at that point you thought maybe someone was shooting at the police. Obviously that turned out not to be the case. But at that point that might...that was one of your impressions that maybe...

WITNESS : 'Cause there was so many...

AUSA : ...someone was shooting at the police?

WITNESS : ...so many shots. Yes.

AUSA : Ok. Alright. You um, yeah, you'd indicated that you heard several more gunshots and it sounded like chaos out there.

WITNESS : Yeah, like...

AUSA : That's you...

WITNESS : ...it sounded like it was a back and forth shot motion, but it was just one gun.

AUSA : Ok. And, at that time your impression was that maybe somebody was shooting at the police, not vice versa. Is that right?

WITNESS : Not vice versa?

AUSA : Or...

WITNESS : I mean, I was just, you know sayin' like as an example when I said that. But as...it..didn't..I mean I couldn't tell you know who...whom was shooting.

AUSA : Ok.

WITNESS : By the time I was just out, you know not at the window at the time.

AUSA : Right.

WITNESS : But it just sound like if I had already heard the police shoot, I didn't think they were just keep shootin'. I thought maybe somebody was shootin' back..kinda thing.

AUSA : Ok.

WITNESS : So yeah, I didn't think the police would have shot that many times, so that's what I was sayin' that.

AUSA : Right, and on the way...

WITNESS : ...maybe somebody was shooting at them.

AUSA : ...on the way to the balcony door, you're not able to see what's going on out there but you're-you're hearing what you described as chaos..

WITNESS : Exactly.

AUSA : ...all these shots. Ok. And one thing that crossed your mind is that someone might be shooting at the police. But that was just again...that was sort of an assumption on your part. Is that right?

WITNESS : Yes.

AUSA : Ok. Um...

WITNESS : So in all, probably saw a good three shots. Just the first one that had exit the window and then the last one...or the final two that I remember that.

AUSA : Ok.

WITNESS : Yeah.

AUSA : Alright. So you think there was just the one shot at the vehicle, at the beginning?

WITNESS : At the beginning but then there's another shot as he was running away.

AUSA : Ok. And you did not witness that shot though?

WITNESS : No.

AUSA : Ok. Um...

WITNESS : I saw the police runnin'.

AUSA : ...ok you saw the police officer and Michael Brown running?

WITNESS : Yes.

AUSA : Ok. After you saw the officer running initially that's when you focused on the Monte Carlo and Dorian Johnson for somewhere around ten...

WITNESS : Yes.

AUSA : ...twenty thirty seconds, is that right?

WITNESS : Yes.

AUSA : And like you mentioned he was...

WITNESS : And that's when I heard the shot.

AUSA : Right, and that-that was a person though that you knew out there.

WITNESS : Yes.

AUSA : Dorian Johnson. And that's when you heard the shot but didn't necessarily see it?

WITNESS : Yes.

AUSA : Ok.

WITNESS : I'm looking at him but I'm noticing they're running, but I heard that shot while I'm lookin' at him.

AUSA : Ok. And while you're looking at him, then you're not focused on the officer and Mr. Brown...

WITNESS : Exactly.

AUSA : ...or what's going on there. Ok. Um, and you see what I'm doing here. I'm basically just trying....

WITNESS : Yeah.

AUSA : ...to determine what you saw...

WITNESS : Exactly.

AUSA : ...as we go through this.

WITNESS : And what I heard.

AUSA : Right. Ok. Um, and did you see...we've talked a little bit about what all went on here, but, a-and it's not real clear to me. Did you see Mr. Brown for the first time at right before he was-right before the last two shots? I mean is that when you f...when as you went onto the balcony. Is that when you first saw Mike Brown?

WITNESS : Um, before I got to the balcony.

AUSA : Ok.

WITNESS : Well, I'm-I'm-I'm mean at...before I actually stepped foot outside of the...

AUSA : Ok.

WITNESS : ...my apartment.

AUSA : Is that-that was the first time that you actually Mike Brown that day?

WITNESS : Yes.

AUSA : Ok. Alright. So you hadn't actually seen Mr. Brown as he's running from the police?

WITNESS : No. Before that yeah. Ok what, are you saying' for the whole entire day?

AUSA : Yeah.

WITNESS : Ok, yes. No. I saw Mike Brown the very first time I saw him was when he was at the police door.

AUSA : Ok.

WITNESS : That was the very first time I saw Mike Brown.

AUSA : Ok. Alright. And then you see him again as the police officer is chasing him...

WITNESS : Yes, he-he ran then he got blocked by that view. And then I ran..I'm sorry, then the police officer ran.

AUSA : Mm hmm.

WITNESS : And that's when I'm lookin' out the um, at the Monte Carlo as well as he's runnin'.

AUSA : Ok.

WITNESS : So that police officer is runnin' as I'm lookin' at the Monte Carlo.

AUSA : Right.

WITNESS : As I'm lookin' at the Monte Carlo I heard the shot. So I looked back up. And then I'm lookin' at Brown turnt around, already with his hands up.

AUSA : Ok.

WITNESS : And so then it must have been...I didn't see additional shots hit him. That's the thing, I only remember those final two. I guess I can't recall, I can just remember those-those final two shots that I saw.

AUSA : Alright. And, when...at the time that you, I think you said before, at the time that you looked over there at Michael Brown and the officer, you took your attention from the Monte Carlo to them. Michael Brown...you saw the shots and you see him basically falling towards the ground when you-when you first see him at that point.

WITNESS : Exactly.

AUSA : Is that right? Ok. And his hands or...you don't know if he got 'em all the way up or not but they're basically sort of at shoulder height.

WITNESS : Uh huh.

AUSA : And they're coming down as he's falling?

WITNESS : Yes.

AUSA : Ok.

SA : I'm sorry. I'm confused. And this is just could be because I was writing during it, but, you saw...you were at your bedroom 'cause it just helps me to picture where you're at.

WITNESS : Ok.

SA : You're at your bedroom. You hear a screech...you're in your bedroom..you go to the window. You see Mike Brown standing next to the car...

WITNESS : Mm hmm.

SA : And some sort of movement.

WITNESS : Yes.

SA : You hear a shot? Or you see a shot?

WITNESS : Yes.

SA : You see a shot. And you hear, you think..it went..it hit a building?

WITNESS : Yes.

SA : One shot or two shots?

WITNESS : I-I heard one that one shot.

SA : One shot. Ok.

WITNESS : Yeah, at the car.

SA : Ok. And, he...they start running, or Mike starts running away?

WITNESS : Mm hmm.

SA : And that's when you move...

WITNESS : Yes.

SA : ...So you move to the living room? Because I think where I'm getting confused is here when you get to the window is exactly when he was shooting. Or were...or when you get to the window you're looking through your blind..you're peeking through the blinds...

WITNESS : Uh huh.

SA : ...moving up however, but we'll just 'cause that's what I think of peek. You see Mike running away and you...

WITNESS : Ok so let me tell you the exact two things that I saw. It's like I missed-I missed...

SA : ...but when you go...

WITNESS : ...some part of it.

SA : Ok. But tell me...so you moved to the living room?

WITNESS : Uh huh.

SA : What is... (WITNESS talking quietly)...that's what I wanna clar...when you said three windows but during all this is going on, is it just the two. It's just your bedroom and then a living room?

WITNESS : There's two windows in my bedroom. They're right next to each other.

SA : Oh ok.

WITNESS : Yeah. So it's...they're right next to each other.

SA : Ok. Ok. So your, well, we'll just say bedroom.

WITNESS : Ok, yeah.

SA : So bedroom window. So now, Mike starts to run away you go to the living room window?

WITNESS : Yes.

SA : Ok. So take me from there.

WITNESS : Ok. Now, as I'm at the living room window. Ok, this is the part that I said...I feel like where you're getting confused 'cause like this is the part that I missed myself. So, he's runnin', he's scattered already. As I see what I see as I get to the window is Brown, I'm sorry um, Wilson runnin' this way.

SA : Ok.

WITNESS : Monte Carlo's right there. I see uh, my attention draws to Dorian.

SA : Ok.

WITNESS : Ok, now at that point, I draw my attention upward just to see Mike Brown as he's turnin' around.

SA : Ok.

WITNESS : Now there's somethin' I missed right there 'cause I didn't see the uh, like any...all the additional shots hit him 'cause I only remember those final two before he fall.

SA : Where did he turn around?

WITNESS : Around there.

SA : Around...

WITNESS : This area.

SA : Ok.

WITNESS : Yes.

SA : You wanna just draw, draw a "B". And where he turned around, is that the same place where he fell?

WITNESS : Yes.

SA : Ok.

WITNESS : That's what I saw. That's why I said I did not see him move anywhere. 'Cause I saw him turnt around...

SA : This right here.

WITNESS : Yes.

SA : Ok, let me just, I'm gonna just...

WITNESS : And I did say that missed the...whatever shots hit him or whatever, but as I looked again, he got hit two extra times but he was in the same spot.

SA : Ok.

AUSA : Ok. And um, now, uh, at one point in the-in the previous interview and this wasn't real clear to me, in August 9 of 2014, when you talked to Detective .

WITNESS : Uh huh.

AUSA : At one point you'd in-you had indicated that when you actually, when you got to the door there, and were exiting onto the patio, Mike Brown was already down. When you f...when you saw...when you walked out there, he was down on the ground, and I don't know if he was actually falling to the ground or he was actually down on the ground...

WITNESS : He was on the ground.

AUSA : ...but, he was on the ground?

WITNESS : Yes.

AUSA : Ok. So when you actually got to the patio door and were exiting there, he was-he was down on the ground at that point?

WITNESS : By the time I got back with my phone.

AUSA : Ok, you're talkin' about going to get your phone and then going back outside?

WITNESS : Yes.

AUSA : Ok. And he was already down on the ground?

WITNESS : Yeah, he had already been killed.

AUSA : Ok. And, now, but-but in that-in that interview you at one point you seemed to indicate that you didn't see Mr. Brown a...at that...on that...during all this...didn't really see Mr. Brown until he was actually...until you were exiting onto the balcony. Ok? Do you recall that...that you had a discussion with the detective?

WITNESS : No, what I said was I meant was I didn't see him while I was looking out my balcony.

AUSA : Ok.

WITNESS : I saw...looking out...when I exit the balcony everything had been said and done. So by the time I was outside of my apartment he was already down on the ground. I saw everything before I exited my apartment.

AUSA : Ok. Alright.

WITNESS : So, if I mighta said...

AUSA : Um...

WITNESS : ...that I was on-on my balcony, I didn't see anything from on...like standing...

AUSA : Or that you were...

WITNESS : ...outside.

AUSA : ...that you were exiting onto the balcony...

WITNESS : Yeah.

AUSA : at...and...

WITNESS : What I meant was...

AUSA : ...that's-that's when you first saw Mike Brown?

WITNESS : Yes. No, but that's not when I first saw Mike Brown.

AUSA : Ok.

WITNESS : I had already seen Mike Brown.

AUSA : Ok.

WITNESS : I first saw Mike Brown dead as I was exiting the balcony.

AUSA : Alright.

SA : Ok.

AUSA : I wanted to clear that up. Ok. Um, we had talked a little bit about you know the-the issue with where the bullet...that-that bullet that hit the neighbor's window?

WITNESS : Uh huh.

AUSA : And, you know, people telling you later that that's where it hit and that kinda stuff.

WITNESS : 'Cause that was the loudest shot. That's the one I remember because, it was actually the closest to me as well so that was the loudest shot I heard.

AUSA : Alright. At one point during the interview on uh, August 9 of 2014 you'd mentioned that um, someone had-had indicated to you that the guy was unarmed and put his hands up. You-you said that she said that the guy was unarmed and put his hands up. And was that just about...I mean, did you know at the point...at that time?

WITNESS : I didn't know if he was unarmed or not.

AUSA : If he was armed or not.

WITNESS : Yeah, but..

AUSA : But someone else had told you he was unarmed...

WITNESS : Yeah.

AUSA : ...and put his hands up. Is that right?

WITNESS : Yeah, everybody was saying he was unarmed.

AUSA : Ok. Alright. Was that that you would have been referring to?

WITNESS : Um, no.

AUSA : If you know...

WITNESS : She didn't tell me if he was armed or not.

AUSA : Ok.

WITNESS : I don't remember, maybe.

AUSA : Do you know who-who she was?

WITNESS : It was a couple of people talkin' outside. They were sayin' he was unarmed, he was unarmed, so...

AUSA : Ok. Alright.

WITNESS : That's where I heard the expression.

AUSA : They were saying that he was unarmed and put his hands up?

WITNESS : Yes.

AUSA : Ok. And, if I understand your statement today, you didn't actually see his hands go up above his head...

WITNESS : Yes.

AUSA : ...or straight up. When you saw him...

WITNESS : They were not all the way extended, no.

AUSA : ...he was-he was, when you f..correct me if I'm wrong, when you first saw him he's falling towards the ground and he has his hands sort of at his shoulder area.

WITNESS : When I first him, he was turning around.

AUSA : Mm hmm.

WITNESS : And that's where I said I missed some part because I didn't see any other extra bullets hit him.

AUSA : Uh huh.

WITNESS : I saw those last two.

AUSA : Ok.

WITNESS : And that's when he was fallin' but he was in the same spot when I saw him.

AUSA : Ok. Great. Alright. Uh, you did talk to...

WITNESS : And I didn't...and also I couldn't see actual Darren Wilson firing at him because he was blocked by the little blockage in front of mine.

AUSA : So those...those final two shots. You did not actually see Officer Wilson fire those shots?

WITNESS : Yes, I couldn't see him.

AUSA : Ok. Um, ok. Why don't we uh, take a quick break and um,

: Alright.

AUSA : Ok? Yeah, we've been going for a little while now. Why don't we take a quick break, alright, just a couple minutes, and we'll leave the recorder going just so you know...

WITNESS : Ok.

AUSA : ...roll on. You know, don't have to explain that we shut it off, or...

WITNESS : Ok.

AUSA : ...turned it back on or whatever. We just wanna have a complete record. Ok?

SA : You don't have to stay in the room though. If you want you go...

WITNESS : Oh yeah, I was fittin' to get up.

AUSA : Ok.

SA : I was gonna...I didn't-I didn't want you to stop.

(break, voices in background, interview starts up again at 56:35)

(UI)

AUSA : Alright. Ok, I don't think we have a whole lot longer here.

WITNESS : Ok, I was just fittin' to say.

AUSA : Uh, and I know you're tryin' to get to work.

WITNESS : Yep.

AUSA : Ok. Now uh, I wanted to uh, one thing...one reason we took the break is, you know I, we've talked a little about your statement to Detective back on August 9 of-of this year. That was uh, at 2:19 p.m. which is just shortly after the shooting right,.that's...

WITNESS : Ok, right.

AUSA : Yeah. And um, there were, basically there were uh, some things in that that we a little bit different from what you're sayin' today and uh, and I talked about it, she's actually has listened to that.

WITNESS : Uh huh.

AUSA : Ok, and is-is familiar with it. And we had talked about it and just wanted to uh, before we finish here today, just kinda go over that, ok?

WITNESS : Ok.

AUSA : Alright. And...

: Yeah, I know, there was just, I mean, there was a part and will go over the specific parts, but, you know, on that day when you talked Detective um, you-you basically denied ever seeing anything, any kind of tussle at the car or anything like that. And so, we just wanted to talk to you about that. Because, look I know afterward, everyone's been talking. I mean clearly it's been all over the news. And it's-it's the biggest you know conversation not only on your block but you know everywhere. And so, like if we talked about, it's natural human nature to fill in the gaps to try to figure out what happened.

WITNESS : Uh huh.

: Um, from talkin' to or your other friends, and we won't go and say told us this, I mean this is why we-we do these interviews separately. We-we like to keep everyone separate so we can figure out what you know. 'Cause, I...everyone has a piece of the puzzle. You know, you don't...it doesn't rise and fall on you. You just have a small slice of what you know.

WITNESS : Yeah.

: And so, that day...you, I mean right afterward you denied ever seeing it, and so, and then you know, then being on the media and in here...

WITNESS : Which part um, did I say? 'Cause I said that I had um, originally saw the vehicle stop and saw Michael right there.

AUSA : Well let's-let's talk about that.

: So-so-so...

WITNESS : Ok.

AUSA : And we'll...and we'll just, and that's...I-I want you to be aware of what we're talkin' about.

WITNESS : Ok yeah.

AUSA : And on uh, August 9th when you talked to Detective um, and I know that, you know you've indicated he gave you an opportunity to say what you wanted to. And-and I think even in the statement you-you indicated that. So I just...that's why this was kind of a question we had. Um, you indicated to Detective uh, that you did not see the-the "hassle" between the officer and Mr. Brown.

(voices talking quietly)

AUSA : Yeah, that's your mom at the door?

WITNESS : Yes.

AUSA : Ok.

(voices talking quietly – talk about purse and lighter)

WITNESS : Ok. Sorry about that.

SA : No worries.

AUSA : Ok.

WITNESS : Ok. Where were we?

AUSA : Is uh, you had indicated to Detective that you heard the scurr... or the-the squeal of the tires, right? And you-you indicated you thought that somebody might be hurt, or said something was going on. 'Cause you didn't actually see that?

WITNESS : Yes.

AUSA : Ok. Is that right?

WITNESS : Yes.

AUSA : Alright. And then you indicated to him that you didn't see the hassle or the tussle at first, and then you went on to say I did see him uh, get out of the car and run in a hurry. But you indicated at that time that you did not see what was...you did not see the tussle between the police officer and Mr. Brown at that time. Ok?

WITNESS : Well actually what I saw wh...I have...what I was tryin' to tell everybody is that I had a very limited view of what I saw.

AUSA : Uh huh.

WITNESS : So, I may have interpreted what I call as a tussle, but it looked as if they were...he was pulling away from the car.

AUSA : Ok.

WITNESS : Because I saw Brown, the top of his head at the car. From where I was standing. And he was doing that kinda thing, like yanking away.

AUSA : Ok. And so what you're telling us here today is you did see the tussle between...

WITNESS : Yes.

AUSA : ...the officer and Mr. Brown?

WITNESS : Yeah.

AUSA : Ok. And, but that's what I'm trying to make clear is that on-on August 9th you told the officer that you did not see the tussle. Um, you said that you heard the tires squeal, you thought that somebody was hurt. You heard three gunshots and then you came to the window at that point, so that you wouldn't have seen the-the tussle before. Ok?

WITNESS : Um, well...

AUSA : That's what you'd indicated to Detective .

WITNESS : No, I came to the window right as the car screeched and my phone rang, it was simultaneously, so...

AUSA : Ok. So if you told Detective that on that day then-then...

WITNESS : I don't know.

AUSA : That-that wasn't...

WITNESS : 'Cause after...

AUSA : ...the case, is that right?

WITNESS : ...after I did um, talk to the police, I then...like after that whole day, I wrote down the time of everything what I saw.

AUSA : Uh huh.

WITNESS : And then that's what I've been going off of.

AUSA : Ok.

WITNESS : I wrote down to myself everything that I saw. 'Cause people were sayin' that, you know, people are gonna try to get me to...

AUSA : Uh huh.

WITNESS : ...you know say a lot of stuff, so I just literally wrote down what I saw...

AUSA : Ok. And...

WITNESS : ...and I still go along with that.

WITNESS : And we're not trying to get you to say anything. We just want to make sure what you're telling us is what you yourself...

WITNESS : Yes.

WITNESS : ...observed versus sometimes we-we don't even realize we're doing it. We're filling in the blanks in our own minds.

WITNESS : Uh huh.

WITNESS : Like when you look at a picture of a birthday party from when you were five.

WITNESS : Uh huh.

WITNESS : And the picture, you think you remember it, but really you don't remember the actual party, you just remember what you see in the picture.

WITNESS : Ok.

WITNESS : And so we're trying to...I don't know if that makes sense or not. We're just trying to figure out what you actually saw. Because...

WITNESS : Ok.

: ...you know when you with Detective right within a couple hours, it's-it's, I mean you told him that you didn't see that part, so we wanna...we, you know so it's natural for us to assume you don't have that piece of the puzzle. That's not to say it didn't happen.

ATTY : Well, could I say something? One of the things that she told me was that she could not...because of her vantage point, and because they were on the other side of the car, she couldn't really state definitely what was going on.

AUSA : Right, but...

ATTY : But she could see...

AUSA : That's-that's not what...

ATTY : ...the pulling away.

AUSA : ...that's not what she said on August 9th though...

ATTY : Ok.

AUSA : ...what...and-and I'm referring to pages five and eight here of her statement. Um, on page eight you said "as soon as I heard the scurrrr"...which that would be your...how you describe the...

WITNESS : The screech.

AUSA : ...the screech of the tires. "I heard three gunshots. Boom. Boom. Boom. And then I came to the window." So what you're saying on that day is that you didn't go to the window until after, you know calls, you hear the tires squeal, and you hear the shots, right? All at the same time, and then you went to the window. That's what you were saying here on August 9th, ok?

WITNESS : Ok.

AUSA : Um, and uh, I mean today you've told us obviously something other than that. Uh, but at that time and again this is two hours after all this occurred, you're telling Detective that you did not see that tussle.

WITNESS : Right.

AUSA : You did not see the first three shots.

WITNESS : I specified that it was three?

AUSA : You did. Yes.

WITNESS : Ok. So I said I heard three shots?

AUSA : Right. And I know today that you-you said you thought it was...

WITNESS : Two.

AUSA : ...you know two but...

WITNESS : Yeah. (UI)

AUSA : The-the-the more important thing is that at that time, just shortly after, and would you agree with me, that obviously at that time your memory would be better of an event that happened two hours before, than today. Is that fair?

WITNESS : But it, I think it also has to do with how comfortable I felt with talking to police in general.

AUSA : Well, I understand that, but you know we talked about that today.

WITNESS : Yeah.

AUSA : And he gave you the opportunity to tell him everything you wanted him to know, right?

WITNESS : Yeah he did.

AUSA : Right. Ok.

WITNESS : Definitely everything I wanted to tell him.

AUSA : Or everything you wanted to tell him.

WITNESS : Yes.

AUSA : Right? In-in fact on page 28 of your statement, uh, he asked you if there was anything else that you feel is important that we should know.

WITNESS : I didn't think I should tell him anything else.

AUSA : Right. And you...

WITNESS : Especially and not until I got a lawyer.

AUSA : Ok. Well, and-andhe asked you "Is this your best recollection of the incident?" And he asked you, "You're not leaving anything out?" And

you said "No." And then he said "You're not embellishing anything?"
And uh, you said "No, not exaggerating anything."

WITNESS : Yeah.

AUSA : And he asked you "Is this your most truthful statement that you have?",
right? And you said "Yes sir". Ok? So, now, you know we've talked a lot
about it. I mean if-if afterwards people are...in fact, in this actual
statement, you mentioned um, that the wh...you-you actually told him
the way you heard it, Brown was shot while trying to pull away from the
guy. Ok, 'cause you had already told him you didn't see the tussle, but
you told him "The way I heard it, he was trying to pull away from the
guy." And, I don't know if that's why today you think you saw it, but at
that time you didn't. If someone told you at that time...and this would
be just two hours after...

WITNESS : Uh huh.

AUSA : ...so you would have already talked to somebody who would have said
to you "He was shot while he was trying to pull away." You see my
point?

: We're just concerned, we just want to make sure that we, you know...

WITNESS : Yeah, I understand.

: ...you're telling us what you saw. And so when we-when we listen to
that statement...

WITNESS : Right.

: ...we're like ok.

WITNESS : And now I'm tryin' to differentiate like...

: ...yeah. And that, and take whatever time you need. We need you to like
have a picture in your mind what you saw.

WITNESS : Ok.

: Alright, so if it's...

WITNESS : And I've written it down. I've talked about it. This is like, this is the
act...this is my account that, ya know I remember.

SA : Do you still have that?

WITNESS : No.

AUSA : Well and today...

SA : The written (UI)

WITNESS : I burned it

AUSA : ...um, are you going-are you going today by what you wrote down or by your independent recollection of what actually what happened that day?

WITNESS : What I wrote down.

AUSA : Ok.

WITNESS : 'Cause this is what I've been talk...I mean this is...well, what I-I recollected everything and then I wrote it down.

AUSA : Ok.

WITNESS : Of course, and then I've been goin' off of that.

AUSA : Do you still recall it today or are you just going by what you wrote? I mean...

WITNESS : Well, same thing.

AUSA : Ok.

: And when you picture it in your mind, right?

WITNESS : Yeah.

: And so...

WITNESS : And I've been doin' that a lot. That's why I've been tryin' to get all my facts clear, like this is where I...this is when I saw him to this, and, is what happened when I saw him turn around and then I was tryin' to tell you I didn't see exactly every little piece of bullet that hit him and then...

: And-and we appreciate that you-that you was making that-making that distinction for us. But when you hear the tires squeal.

WITNESS : Mm hmm.

: Um, by the time you go over to the window...is...I mean is Michael Brown getting out of a car and running?

WITNESS : Michael Brown was at the...he was at the door while-while I was looking out the window. 'Cause he had not ran yet.

: Ok, and you say...

WITNESS : He was still at the car.

: ...you said your view was obstructed.?

WITNESS : Yes.

: What was your view obstructed by?

WITNESS : Ah, no, um, it was just limited...

: Limited.

WITNESS : Um, only because the way the police officer was...his car was and the way I was at the window. It was limited.

AUSA : And I-I had mentioned this a little bit before but Detective asked you after you'd explained to him that you didn't see the tussle at the side of the car, you-you said you did see the police officer running uh, but you didn't see Brown at that time. And he asked you "Where were you at when you first saw him?" referring to Brown. You said, "I was looking out my door," and he says "Ok, so were you inside your apartment or outside your apartment?" and your response was "I was in it, but the door was open so I was exiting-exi-exiting out as I was looking at him." So what you're saying that day is that the first time you saw Mike Brown that day, as opposed to the police officer was actually as you were ex-exiting the balcony. Ok?

WITNESS : No, and...I actually saw Brown...like the whenever I exited was after he was dead, so...

AUSA : Mm hmm. Well, and that's...

WITNESS : As I'm seeing Brown...

AUSA : ...that's my question is...I mean did you...at the time that you fir-first saw him that day was that when he's falling to the ground? Or when he's on the ground? Because at this time, what you'd indicated on August 9th, what you indicated to Detective was...you did not see the tussle. You did see the police officer running.

WITNESS : Ok, no. Ok, I-I know what you're talkin' about. I remember now. When he asked me that he said did I see the initial interaction and that was

before the police officer car had screeched. I told him that I did not like when he...when they were sayin' "Get the fuck," all of that, I was tellin' him that I had not saw that part. So I think that's exactly what I was referring to, 'cause I kept saying that I didn't see not..anything that happened before the tires screeched which was the actual interaction, and they said um, Michael Brown and um, Dar..Darren Wilson had a physical interaction or something like that. I was tellin' him I did not see that. I only saw while he was next to the car.

AUSA : I understand that you wouldn't have seen what happened before the tires screeched and all that. But what you said on August 9th is that...

WITNESS : ...after tires screeched.

AUSA : Yeah...the tires screeched, on August 9th you said the tires screeched, you heard three shots. And uh, and then you-then you went to the window. Um, and uh, so you-you say "I did not see the tussle at first, but I did see him get out of the car and run in a hurry." So, what you were saying on August 9th is that you didn't go to the window until after those first shots were fired. And that you didn't see the tussle but you saw the officer running. You've indicated at uh, pages 10 and 12 that the first time you saw Michael Brown was as you were exiting on to the balcony. Um, and uh, that was the first time that you him. You did not see him until he...until you were exiting the door onto the balcony. Um, and-and that obviously in the-in the statement on August 9th that made sense because you had already said that you didn't see the tussle. You saw the police officer running but not Mr. Brown at that point. And then you went into the Monte Carlo with the things you talked about today. That Dorian was there at the Monte Carlo, your attention was drawn to that. Ok, so I just wanted to point that out. As we said at the outset...

WITNESS : Uh huh.

AUSA : ...you know if at some point as prosecutors we're looking to charge this and try it. Then you may very well be a witness. And that's why we need answers to these things ok?

WITNESS : Ok.

AUSA : Because these are things a defense lawyer would certainly point out. And we just wanna know what we can rely on. You know, what you actually saw versus what someone may have told you. And as I said at the time, you'd indicated that someone had-had said to you that he was unarmed and...

WITNESS : Exactly.

AUSA : ...uh, and had his hands up. Right? Um, and then on-on that day, on August 9th also, you said that uh-uh, similarly you said that uh, the way you heard it, Brown was shot while he was trying to pull away from the guy. Um, that was on page 17 of the-of the interview. So, that...what that indicated was that someone may have said that to you...

WITNESS : Uh huh.

AUSA : ...but you had already indicated in that statement that you did not actually see the tussle at the side of the car, ok?

: Which, would make sense why you then say "the way I heard it"...

WITNESS : Uh huh.

: Which is totally fine. I mean, we get it. We just need to...we need to be sure, like I said...

WITNESS : Right.

: ...of what you actually saw versus what, I mean 'cause so many people were talkin' we know they...

WITNESS : Yeah.

: ...we know they were talking within minutes, seconds probably after this was happening. Um, and we know from our experience and when we're standing in a courtroom, we need to be able to ask you questions okay what happened, but then when the defense attorney gets up, they're gonna have all these statements. And-and you know, basically try to paint you like you...like you really don't know the difference between what someone told you versus what you saw.

WITNESS : Uh huh.

: So that's why we're just trying to figure out. Like I said, it doesn't rise and fall on you. Everyone just got a little piece, right?

WITNESS : No, I get it. Yeah.

: So.. 'cause it sounds to us like-like when you say "the way I heard it"...right?

WITNESS : Uh huh.

on your balcony. Um, and so obviously that's somewhat different than what you had to say today.

ATTY : Can we um, pause for a second?

AUSA : Sure.

ATTY : And let me just talk to her for a minute.

: Sure.

AUSA : Yeah. Yeah. Absolutely.

WITNESS : Yeah.

SA : Let me shut this off.

AUSA : Ok.

SA : So we're just starting back with the tape in front of Witness and Ms. with Special Agent , and AUSA .

AUSA : Ok. Uh, we took about a 15 minute break. Your lawyer had asked to just be able to talk to you for a few minutes, and she's been here in the interview the entire time, is that right?

WITNESS : Yes.

AUSA : And then, so when the tape when off, we all left the room, and you and your lawyer were able to talk for about for about 15 minutes or so, is that right?

WITNESS : Yes.

AUSA : Ok. And um-um basically uh, I just wanted to wrap things up at this point. Um, I think we've asked uh, everything we intended to. And I think you understand kind of the issues as-as we're looking at them, ok?

WITNESS : Yeah.

AUSA : Is there anything that we haven't asked today that you think we should? Is there anything we should get into that we haven't at this point?

WITNESS : Um, no. I just want to um, clarify like more reasons of like why my story would be any different or anything.

AUSA : Mm hmm.

: Ok.

WITNESS : I'm not tryin' to add anything to my story, I just know that as I was um, as I re-collected, this is I said ok, I remember everything this is what I'm goin' by and I had did that after I talked to the police and found my lawyer. So, I have but the...I gave the story to the police generally, like I was very vague and general with them.

AUSA : Ok.

WITNESS : And especially after like they had asked for my phone. And I was like, it was like this sinking feeling in my stomach that I felt like...ok what do they need my phone for?

AUSA : Ok.

WITNESS : And just (UI) untrusting (UI)

AUSA : But, and-and just to be-just to be to clear to you-you cooperated that day and you did...he did give the police consent to...

WITNESS : I did.

AUSA : ...to go through you phone, correct?

WITNESS : Yeah.

AUSA : I mean, you were cooperative at that time...

WITNESS : Yes.

AUSA : ...is that right?

WITNESS : Yes sir. Had to be.

AUSA : Ok. And I mean you never refused to let them have that phone or the video that you took or anything like that. Is that right?

WITNESS : Yes.

AUSA : Ok.

WITNESS : I did not refuse it.

AUSA : And uh, and on that day...

WITNESS : I was here to help.

AUSA : ...that uh, Detective did ask you if-if that was your complete statement, or if there was anything that you wanted to add. He did ask...

WITNESS : Yeah.

AUSA : ...you at that time?

WITNESS : Said "nothing."

AUSA : At that time there was nothing you wanted to add, is that right?

WITNESS : Exactly.

AUSA : Ok, great. Now since that time you've gotten your lawyer and Ms. , ok. But obviously um, is it fair to say that Ms. hasn't um, hasn't uh...

WITNESS : Influence.

AUSA : ...tried to influence what you remember. ...

WITNESS : Yes.

AUSA : ...or not. Is that right?

WITNESS : At first, she's just been asking me what I remember.

AUSA : Right, ok. Alright. And um...

WITNESS : Oh...

AUSA : Ok, so when...

WITNESS : Um, oh I'm sorry, one more thing. Um...

: Go ahead.

WITNESS : As they were sayin' about the vehicle, and I remember as I was sayin' I stay...I saw the top of his hat, as...at the vehicle. Of course at that time, I did not know that it was Mike Brown, until after I had known that his body was dead on the ground.

AUSA : Sure.

WITNESS : Because I could not see face, I could only see hat.

AUSA : Yeah, and we should clarify that. At-at the time that this was going on...

WITNESS : Exactly.

AUSA : You didn't necessarily know that it was Mike Brown that was out there in the street.

WITNESS : Exactly.

AUSA : Is that right?

WITNESS : Yeah.

AUSA : Ok.

WITNESS : So I kinda gained more facts durin' the time as well.

AUSA : Ok. And that, is that just from talkin' to other people, or...

WITNESS : And watching the news and media and things like that.

AUSA : Ok, alright. So you gained more facts by doing that.

WITNESS : Yes sir.

AUSA : My understanding is that before you talked to Detective on August 9th, also, did come up to your balcony and the two of you did talk about this before you actually talked to the police. Is that right?

WITNESS : We didn't really discuss anything. It was so...it was like really emotional. I was just cryin' and she was just like "What just happened?" and she automatically called the news people and...

AUSA : Ok.

WITNESS : ...we were...we didn't really talk about...talk about all until afterwards (UI)

: And , it's human nature to talk to people when this happens, right?

WITNESS : Yeah.

: Like, you know...

WITNESS : When she came up all she said was "Did you just see that?" And I had just started cryin', so it's like we couldn't-couldn't kinda talk about it.

: Ok.

AUSA : Ok.

WITNESS : (UI)

AUSA : And on..on August 9th of this year, um, Detective asked you um, "Did you talk to anybody about the actual incident before you talked to me?" And you said "My co-worker, my roommate" and then he asked "Your co-worker meaning" and you said " ." And he said " , ok that would be ?"

WITNESS : Yes.

AUSA : Ok. So that...

WITNESS : I didn't talk we (UI)...(microphone gets moved) specifics about the investigation, but of course we had words...but...

AUSA : Ok.

WITNESS : We did not talk about like." Did you, so you saw him when he was..." you know, like goin' into details, specifics.

: And we're not blaming you for that. I mean that's...like I said...

WITNESS : Uh huh.

: Human nature, right?

WITNESS : Right.

: You see something that-that is unexpected, surprising, tragic any of those words.

WITNESS : Uh huh.

: ...and you-you talk about it, right? You don't think to your mind I may have to stand on a witness stand one day or be interviewed, like it's just human nature. So we're not blaming you.

WITNESS : Right.

: We just wanna know what happened, that's all.

AUSA : And uh, and we're...I think we've-we've asked everything and you've been able to clarify. Have you been able to clarify everything you wanted to at this point?

WITNESS : I think so.

ATTY : Well, I just wanted you to address the difference between telling the police that you didn't see the tussle, versus telling them today that you did see him at the car.

WITNESS : Ok, yeah. That's what, that's what I was tryin' to verify about how I didn't know that it was him at the time. I had seen only a hat moving at the top of the police car. And at the time I was under, you know, a lot of pressure of course. And...

ATTY : So...

WITNESS : When I recollected...

ATTY : ...so specifically, and this is what I want you to let them know. So specifically, when you said you didn't see the tussle...

WITNESS : Uh huh.

ATTY : Were you talking about the arms moving, and what was going on inside the window of the car?

WITNESS : Yeah, of course, couldn't deep into the -into the car.

: So you...

WITNESS : I could not see.

: So you couldn't see what was going on with his arms? Is that what you're saying? Is that correct?

WITNESS : Yes, I saw a jerkin' mo..motion though, only.

ATTY : From the top of his head.

WITNESS : Yes.

: Ok.

AUSA : Alright, but you were-...

WITNESS : But it looked like...

AUSA : ...you were-you were not actually able to see them wrestling or tussling? Is that right?

WITNESS : From, okay, wait a minute...go back.what I'm tryin' to say is I could not see what was goin' on under what I'm talkin' about. But I did see his arm move at one point, which is why that I even said something about a arm wrestle. So, that's what I was talkin' about. And I saw the top of his hat moving with the car.

: So, as you sit here today, are you sayin' that...

WITNESS : With the car, not with the car I'm sorry.

: As you sit here today, are you saying that...

WITNESS : (UI)

: I'm sorry I don't want to talk over you, and I don't want to cut you off, so, continue speaking (UI)

WITNESS : No go ahead.

: I'm just tryin' to understand. So you sit here today, you said that you saw, you could see the top of Mike Brown's head at the-at the police vehicle, correct?

WITNESS : Yes ma'am.

: And your vantage point is looking toward the passenger side of the police vehicle, correct?

WITNESS : Yes ma'am.

: And you're able you're say, as you sit here today you were saying that you see...just his head moving. Is that right?

WITNESS : Yes. Jerking away.

: And, what part of him are you saying that you saw jerking away?

WITNESS : I saw an arm. I saw an arm jerk away like that.

: Ok, do you know who's arm?

WITNESS : Michael.

: Ok. And-and that's the-that's the sum total of what you were able to see?

WITNESS : Yes.

: Ok.

AUSA : Did you see...

WITNESS : It just look like a...

AUSA : ..did you see the police vehicle swerve at the two young men, at Brown and Dorian?

WITNESS : No.

AUSA : Ok.

WITNESS : That's what I did not see.

AUSA : Did you see Michael Brown um, sort of..reaching and pulling and tussling through the window of the police vehicle?

WITNESS : That's what I was tryin' to describe, yes.

AUSA : Ok, you-you did see that?

WITNESS : Yes.

AUSA : That's..

WITNESS : That's what I was just sayin'?

: But the tussle that you're saying is limited to the top of his head and then finally it ends...

ATTY : Jerking away.

WITNESS : Yes ma'am.

: So you don't know...you didn't see anything leading up to that point?

WITNESS : No ma'am.

AUSA : And what you saw looked like wrestling and the officer pulling Brown into the vehicle?

WITNESS : 'Cause it looked like he was tryin' to pull away from the vehicle, so yes.

AUSA : Ok.

WITNESS : That's what I was...

AUSA : And did..

WITNESS : That's how I UI)

AUSA : It looked like the officer was trying to mani-manipulate Brown into his vehicle and trying to pull him in while Brown was trying to flee? Is that what you're saying?

: Is that what you saw or is that what you're assuming?

WITNESS : Well, that part...well can you just uh, restate that please?

AUSA : Sure. It Looked like the police officer was trying to manipulate Brown into his vehicle. Trying to pull him in while Brown was trying to flee.

WITNESS : Yeah, and that's...

AUSA : (UI)

WITNESS : ...that's how I assumed it to be happening as I saw the jerk.

AUSA : Ok. So there was...

WITNESS : So yeah. That's...

AUSA : ...you were assuming that he was trying to pull him in?

WITNESS : Yes.

AUSA : Ok. Alright.

WITNESS : I was.

AUSA : And um...

WITNESS : But, you couldn't really tell what was goin' on just from where I was lookin' from, it just...

WITNESS : Yeah, that's fine.

WITNESS : That's what I thought was going...

AUSA : And we...and that's fine-that's fine. Um, but you understand on August 9th when you talked to Detective you told him that you did not see a tussle?

WITNESS : Yes.

AUSA : Ok. Um, anything else you want to clarify?

WITNESS : No.

AUSA : Ok. And is there...

WITNESS : , was there anything else?

ATTY : Um, what was the other point of contention that you brought up?

AUSA : Oh (UI)

ATTY : The difference...

AUSA : Keep in...I mean, there's no really points of contention here.

ATTY : Right, but I'm just saying...

AUSA : Yeah.

ATTY : ...the difference between then and now.

AUSA : Well, the um, the issue regarding when you first saw Mike Brown. Um, as-as you sit here today, you're confident that you saw him before you went out on your balcony. Is that?

WITNESS : Yes. Yes sir.

AUSA : Ok. Alright. And um, on August 9th if you would have told Detective that you-you didn't see the initial tussle uh, or the initial three gunshots and that you went to your window after that...did not see Mike Brown until um, you exited on your balcony. But that is not the way you recall it today?

ATTY : You're saying...let me-let me just ask. 'Cause I'm gonna ask this. You're saying you did not actually have visual contact outside of your apartment until you went out?

WITNESS : Yes.

ATTY : Ok, but you did see everything through the windows that you're saying.

AUSA : Ok. Alright. Alright um...

ATTY : And you didn't know who he was when...

WITNESS : Exactly.

ATTY : ...you first saw him.

AUSA : Ok.

ATTY : You didn't know until later that it was Mike Brown.

AUSA : That was after...

ATTY : Did you know it was Mike Brown when the police questioned you?

WITNESS : No.

ATTY : Ok.

SA : Did you even...and-and...

WITNESS : Well, he said his name.

SA : ...you-you've met him before?

WITNESS : Yes.

SA : You didn't know that you had met him before until told you?

WITNESS : Exactly. Yes.

SA : So even if someone said...

WITNESS : (UI)

SA : ...even if someone said, "Hey that's Mike Brown", you'd be like who?

WITNESS : Yes.

SA : Ok. And that...I just have a question, so you said you knew Dorian? You recognized Dorian. Did you, before you saw Dorian behind the Monte Carlo, had you seen him before that?

WITNESS : I didn't.

SA : You didn't. So you didn't...you...all you saw was uh, Mike Brown's hat up next to the door when you were talking...

WITNESS : Uh huh.

SA : ...you heard the screech, you looked. Could there-could he have been standing next to him and you just...is was ...

WITNESS : Possibly.

SA : ..blocking the view?

WITNESS : Yeah, 'cause it was a big visual...

SA : 'Cause I'm trying to figure out how much you saw. Or-or just that it was two people. Like it was the officer in the car, and then Mike Brown...

WITNESS : I hadn't seen Dorian at all during that point.

SA : Ok.

WITNESS : I only saw him when he was by the Monte Carlo and then I hadn't seen him at all that whole time.

SA : Ok. That's fair.

WITNESS : Mmm.

AUSA : Alright.

: And that one time that you met Mike Brown in the past, when was that? About when?

WITNESS : Year...uh, year ago..I saw...

: (UI)

WITNESS : He-he actually said it had been a couple times that I've seen him, and not known who it was. So at least like one or twice.

: Do you remember it? Or is it just...

WITNESS : Oh no, yeah. I remember. When he uh, told me about it cuz we had gone to house that day. It was me and my brother. And my step brother and we were goin' in there and we played video games, mainly Call of Duty.

SA : How...is your brother older or younger than you?

WITNESS : He's older. He's 20.

SA : Ok. And did you-did you go to school with at all?

WITNESS : Uh uh.

SA : How'd your brother know ?

WITNESS : Um, I think they go to school together. Or they...

SA : Ok.

WITNESS : ...went to school together at the time. 'Cause he lives over here and my father stays like in the apartment complex over there. So I was um, familiar with the area already.

SA : Ok, and where do you, where did you go to high school?

WITNESS : Jennings.

SA : Jennings? Ok. Did you graduate from there?

WITNESS : Yes.

SA : Ok.

AUSA : Well, let me finish up while...where we started, and that is just uh, we haven't threatened you or coerced you in any way today. Is that fair?

WITNESS : Yes, that's fair.

AUSA : Ok. And we haven't made you any promises? Is that right? Ok. And you came here of your own free will today?

WITNESS : Yeah.

AUSA : And gave us voluntary statement, right?

WITNESS : Yes.

AUSA : I mean no one forced you to come down here. You were willing to do that and cooperate and came down, correct?

WITNESS : Yes.

AUSA : Ok. And uh, your lawyer's been here throughout the entire interview?

WITNESS : Yes.

AUSA : And uh, your mother is outside in the lobby but, you understand-understood..actually you were able to meet with her briefly during your in-interview when she came to the door at one time. Is that right?

WITNESS : Uh, yeah. To hand her the lighter.

AUSA : Right. Ok. And obviously you understood that..if at anytime you wanted to end the interview, you and your lawyer could step out and talk to your mother and do whatever you wanted to do. Is that-is that your understanding?

WITNESS : Yes.

AUSA : Ok.

: Do you think we treated you fairly?

WITNESS : Yes.

: Um, do you think we tried to get you to say anything you didn't want to?
 WITNESS : No, I think you all just tried to get me to say what I-what I actually saw.
 : Ok.
 WITNESS : I get that. I'm tryin'-I'm tryin' to...
 : And...
 WITNESS : ...help you guys.
 : And we know you are, and we just...like we said all we want to know is the truth. So there's-there (UI) t helping us, it's just the truth.
 WITNESS : Mmm.
 : And so there's no...sides or anything like that.
 WITNESS : Gotcha.
 : But we...we just want to make sure that you don't...that...we don't want you to feel like we've tried, we're trying to get you to say something you didn't want to say.
 WITNESS : I understand.
 : Uh...
 WITNESS : You're tryin' to understand why there is differences between accounts.
 AUSA : Right. Exactly.
 : And we also want you to feel free and-and certainly has my number. We want you to feel free to...if at any point you want to tell us something else, something else happens, that you-you come across someone that you think might have information for us. If you remember something, you want to clarify something. We're always willing to listen, ok?
 WITNESS : Uh huh.
 : Ok. So even though we're gonna end this interview now, don't feel like, you know we've-we've closed the book entirely. We're all...we're still investigating, we wanna know from you. If you at any point we want you feel like you can tell us, so, you can call the FBI. can call me. We're ea-easily accessible.

WITNESS : Ok, thank you.

AUSA : Thank you.

SA : Can I ask you too..just because you made notations, this is just in reference to yours, if you wouldn't mind signing and dating this picture?

WITNESS : Sure.

SA : (UI) white.

ATTY : Do you guys have a card?

SA : Sorry I was getting ready to give that to you.

ATTY : Ok.

AUSA : I've been handing out a lot of these. I don't have one with me.

ATTY : Or you can just write your information on the back.

AUSA : I have one here.

SA : Ok.

WITNESS : What's the date? Oh 9/11.

SA : 9/11. It is. Alright, so the time. Well, we're gonna go ahead and shut this off, it's 11:54.

ATTY : Ok.

August 9, 2014
5:06 p.m.
Detective
St. Louis County Police Department

Det. = Det.

Unintelligible = UI

DET. This is Detective St. Louis County Police Department.
The date is August 9th and it is approximately 5:06 p.m. I am at
with a young lady who witnessed this incident. Her
name is...

DET. can you take me through, uh, step-by-step as detailed as possible
everything that you heard and saw today?

Yes. Um, I was sleep and so I heard the first two shots. I'm thinking it's
just the construction men that was outside and my boyfriend was
looking out the window and he told me to come here, so I came to the
window. I saw the young man grabbing his, either his stomach or his
side and had it...then he put his hands up and then the man just keep
aiming...um...firing and then that was it. And then I went outside and
saw the rest of it.

DET. Okay. Uh, you heard the two shots and your boyfriend gets your
attention to come to the window.

Uh huh.

DET. Um, I thought, uh, before you said that was, the young man, was he
standing or kneeling?

He was kneeling.

DET. He was kneeling in the street. I thought uh, before you said he had his
hands up...

Uh huh.

DET. ...at first, um, but then he went to his-his side or to his uh...

Just...either-either was, he was like this so he was either grabbin' at side or like somewhere in the front.

DET. Okay.

He was grabbin' his self.

DET. Okay. So, kinda-kinda towards his waist on either the side or the back. We're not sure why.

Uh huh. Yeah

DET. Uh, and then you saw how many more shots?

Three.

DET. Three more shots. And, I just wanted to clarify that, uh, at first when you saw him, his hands are up; he's kneeling in the street?

Uh huh. Yes.

DET. Uh, and then for some reason, uh, whatever it is, he-he reaches down for his...

Side.

DET. ...his side or waist...

Uh huh.

DET. ...or something like that.

Yeah.

DET. Across his body like so.

Yep.

DET. Alright. Um, and your vantage point here as your describing to me as we're in your apartment...

Uh huh.

DET. ...is a, we're on the second, third floor?

Third floor.

DET. Third floor of your building and it's a rather clear, unobstructed. Was anything in the way of your view during this incident?

Nope.

DET. Did you observe a lot of people outside at this time?

No, it was like a couple that was standing like right there by the tree in that apartment building right there across the street. It was a couple people right there.

DET. Okay.

And then, after that, people just was screaming and that was it.

DET. And that's when everybody started comin' out?

Comin' out, uh huh.

DET. And, also for clarification, you, uh, have no relationship of any kind with the young man that was involved nor the police officer. Is that correct?

No. That's correct.

DET. Were you able, you-you weren't able to hear anything?

No. The, a, glass was shut. We had to open that.

DET. So, be-because you're a-you're sliding porch doors are shut and they're glass...

Uh huh.

DET. ...you didn't hear, uh, any yelling, any type of directions?

Nope.

DET. The only things you heard were the shots...

Uh huh.

DET. ... and then you looked outside and saw what you saw.

Yes.

DET. Okay. Um, let's see, do you think there's anything of importance that I should've asked you that I haven't yet?

No.

DET.

Or anything else that you feel is important?

Nope, I just, that was the only thing that I saw after that, it was just everybody just try-gather around and everything. I just stayed like on the porch.

DET.

Okay.

I don't get no closer.

DET.

Alright. The time is 5:10 p.m. and this will conclude statement.

Saturday, August 9, 2014
4:59 p.m.
Detective
St. Louis County Police Department
DSN

Det. = Det.

Unintelligible = UI

DET. Today's date is Saturday, August 9, 2014, the time is approximately 4:59 p.m. My name is Detective , St. Louis County Police Department. This interview is in reference to an officer-involved shooting referenced under St. Louis County Police Report Number 14-43984. The person being interviewed is a, how you say your first name?

with a date of birth of This interview is taking place in a, her apartment which she shares with Um, ma'am can you tell me, we spoke earlier reference what you saw. Is that correct?

Yes sir.

And, you-you provided me a statement?

Yes sir.

Okay, and now you willing to record that statement, correct?

Yes sir.

Okay. Can you tell me in your own words, um, where you were and when you were made aware of the situation and then what-what you witnessed when you did look.

I was in my kitchen eating on the phone with my little sister and my fiancé yelled from the bedroom, "Baby, look out the window they're shootin'." I run to my patio and look out the window. As I'm lookin' out my window, I see a, a African-American gentleman running away from a-a Caucasian officer and the Caucasian officer was chas...was walkin' behind him steady opening fire shootin' and as um, he was

shootin' whenever I asked my fiancé , I said, "Well, I guess the guy got away because I don't see him walkin' anymore." So, the next thing I know, I see the African-American guy walkin' back down facing the Caucasian officer. And, I see him walkin', I opens up my front door and go out on my patio and I see the Caucasian officer steady opening fire, aiming at the African-American guy's chest area. While standing there lookin', I assumed, I figured that they had tased him and he just was resisting. He wasn't going down but then when I talked to my fiancé he said that it was actually gunshots and maybe like he shot 'em two more times and that's when the guy tipped over. The officer walked up, shot him three more times and the dude just tipped over head first and his head smashed into the pavement.

Okay. Um, you see anything...did you see any other people out there when this happened?

Yes. There were other peoples outside as well on their patio watching as well.

Okay, and you said a, did the, um, gentleman who was a, shot by the officer, did he have anything in his hands that you saw?

He didn't have anything in his hands. Nothing at all.

Okay. Um, now you-you watched but were they already out of the vehicle by the time you saw?

Yes , by the time I saw the-the commotion they was already, the officer was already out of the vehicle and at this time, I saw the-the African-American guy running up the street and the officer was walkin' behind him opening fire.

Okay. Is there anything you wanted to add to that statement?

And when the guy, once he tipped over and he hit the pavement, you saw his body like flinchin' like he was tryin' to get up and after that he stopped movin' and the officer stepped back away from the body and that was-that was it.

Okay. Did you have anything else?

No sir.

That will conclude the interview. The time is approximately 4:52 p.m.

Detective / Detective
St. Louis County Police Department

DET. [REDACTED] Ok, this is Detective [REDACTED] of the St. Louis County Police Department. With me is Detective [REDACTED] This interview is being conducted at [REDACTED] at [REDACTED]. And with us is [REDACTED]. Um, [REDACTED], um, we understand you were present at that shooting on Saturday up in Ferguson.

DET. : And can you just tell me, um, where you were, um, or how..

DET. : ...where you were coming from?

DET. : Ok.

DET. : Ok. (pause) And what'd you see?

DET. Ok.

DET. : Ok.

: But the cop was between him, and the vehicle that we were in. So, it looked like he was pointing in my direction.

DET. : Ok. So, I..I

: ..And then...

DET. : Let me, I wanna, I'm gonna pause you there I just wanna make sure that-that I got everything right, ok?

: Mmhmm.

DET. : Um, so you..you..come around and you see um.. the African American gentleman, and he is standing um..where at..uh...

: We...

DET. : ..with the police car?

We were, we had...we had just turned onto the street. We were a few blocks from the incident.

DET. : Ok.

: We were..we were approaching it, and my wife was slowing down because we heard the shots.

DET. : Ok.

: And..I..I..I was scanning, looking, saw the squad car, saw the officer from behind, saw the gentleman on the other side of him, pointing in our direction.

DET. : Ok. So I'm gonna stop you right there.

Mmhmm.

DET. : So, if..if..we're like standing above the police car, ok..imagine we're above the police car. Where is, where is the African American gentleman at?

Um, he was in the middle of the street.

DET. : Ok.

: Uh...the car..the..the officer ...a...b..because, I didn't see the officer get out of the car.

DET. : Ok.

: My wife says she saw him get out of the car. I didn't see him, I didn't see the officer until..u..u..u..until he was already out the car.

DET. : Ok.

Th..th..the gentleman, the A...the black guy...

DET. : Yeah.

: ...pointed at us. And..about that time, he started to run, and that's when the officer shot him in the leg.

DET. : Ok.

: And it certainly looked like a leg shot to me, the way he staggered... (chuckles)

DET. : Ok .

: Uh, spun around. Uh..and ..right after..right after he was hit, he turned around and he started back toward the police officer.

DET. : Ok.

: And..I'm..we're in a residential neighborhood. There's bystanders everywhere, there's people everywhere. I..what I saw was the officer gunned down somebody who had apparently been in a firefight with him.

DET. : Ok.

: And...I'm..I'm...I was relieved that it was over, and that there weren't going to be any stray bullets..hittin' bystanders.

DET. : Ok.

Because, it certainly looked...uh..it was too far away to actually see a gun...

DET. : Ok.

: ...but it certainly looked like he was pointing one, and we definitely heard shots fired before he ever started running.

DET. : Ok. So..um..if..and we're going to use...you put a shoe down on the floor to kinda show the police car...

...car right...

DET. : So was the policeman behind the police car?

I'm not certain..mm..because uh..at that point...at that point, my attention shifted to...the guy that was running away and being shot at.

DET. And then the guy that was running, where was he standing next to the police car?

: Uh, he was out in the middle of the street. Uh..

DET. Ok, so he was over to the uh...

: He was..he was...

DET. : Over the right?

..he was by the middle...he was by the yellow line. He was out in the middle...

DET. : Ok.

...out in the middle of the street.

DET. : Ok.

And..he started running away from us, got wounded, and turned around and came back toward...

DET. : Ok.

....the police officer.

DET. : So..you..you saw the officer shoot him one time while he was running away?

Yes.

DET. Ok.

: Uh..

DET. What did, what did he do when he..when he turned around?

: He walked back toward the officer. Now I've heard lots of people talking about how he had his hands up. He did not have his hands up.

DET. Ok.

: His hands were down at his sides. And..and..and..he got...to within maybe six or ten feet from the officer, and ...the cop shot him. Uh..

DET. : When..when he came back towards the officer...was he walking, was he running in between something else?

Uh...he appeared to be walking..

DET. : Ok.

: He appeared to be walking. Uh..but he..eh...it was not hands up, it was.. they were down at his side. You couldn't see...you know...you couldn't see...you couldn't really see his hands.

DET. Ok.

Th..they were down.

DET. : Did he have his hands up at any time? Did you see?

: The only time I can remember his hands up is...when he flung them out briefly...wh..when he was running away and got hit...

DET. : Ok.

And..and..and..he..he kinda flung them out, and staggered around. Uh..uh...to face the officer, and come back toward the officer. I..

DET. Ok. Ok.

: I never saw him put his hands up anywhere.

DET. Ok. I'm gonna show you a map...of...uh...the area.

: I'm only vaguely familiar with Ferguson.

DET. : I know, I know, I...you know what and I'm not familiar with the area at all, so I'm gonna..we'll try to work through it here as best we can. Now this is uh..

This is helpful.

DET. : Yeah, here is a..uh..here's a satellite aerial picture of it...

: Mmhmm.

DET. : ...and..and the street lines are kinda hard to..hard to read by..so
here's..here's another one here, so I'll let you hold that, that'll help
you.

: Well...well...we came out Florissant because we were coming from _____ and West Florissant.

DET. : Ok.

We came out Florissant...

DET. Ok.

...and we turned onto the street where it occurred (clears throat)...and...we were probably in this area here...

DET. Ok...between....

When..when we heard the shots...

DET. : So this is uh...can you do me a favor on this one, cuz its easier to read.

Ok.

DET. : ..the streets so...here...here's where you turn, here's Red's BBQMan, and then here's a Chop Suey shop, and then uh...

: Okay.

DET. :you coming down Canfield..here's where the apartment complex is...

: Yeah.

DET. Can you..uh..where do you think...where you guys think you were..

: I would..I would say that we were between here, and here...when we heard the shots.

DET. : Ok. So I'm gonna circle, you put an "X" there, I'm put circles, I'm gonna put "A" next to those, so that we know what we're talking....

: ...because...

DET. : ...about.

: Because the street has started to turn, and we..and..looking down this way...

DET. : Ok.

: Th..th..the shot...the shots fired came from down here at first...At first we were far enough away that at first it sounded like fireworks, but..it...too loud..you know...for the distance.

DET. : Where did you see the police car at?

: Uh..down in this area somewhere. I'm not...

DET. : ..If you wanna...

: ...I'm not sh.....

DET. : ..look at the other one...

: Ok. I can tell you that...I can tell you that we drove up to here, and turned and went around behind the complex. Because we...we were stoppin' to pick somebody up that lived in one of these buildings. I'm not sure which building, but...

DET. : Ok.

...But know...I know we...I know we turned off onto here, so th..the squad car was further down the street.

DET. : Ok.

: And...because we went around to avoid the police...

DET. : Ok. So, If I'm going to put this map with this map, you...just pointed to about right here. Right? You just pointed like right around there?

: Uh...I wanna say...by this corner...

DET. : Ok. You mind putting a circle there?

: Sure.

DET. : And I'll..I'll label that..

: Uh oh sorry.

DET. : That's ok.

: I wanna say by the corner.

DET. : Alright, I'm gonna put that on "B". That's the corner of Canfield Drive, and Canfield Court. Put that "B". So. Um..wh..when you were driving down Canfield, was the police car facing you, or was it facing the other direction?

: I really have no idea.

DET. : Ok. And then which direction did..did..he..um..the African American guy run?

He ran this way.

DET. : So he ran this way on Canfield?

Yes he did.

DET. : Ok. So he ran away from you guys. Running ea...uh..running east. On Canfield. (pause) Was the police car parked in the middle of the street? Was it parked on the side, do you remember?

: Umm..kinda..kind of forty five degree to the curb, I think...it...it..it..it wasn't parked, but it wasn't blocking the road.

DET. : Ok. Ok. And then, um..and you said that, that you saw the police officer outside of the car.

: Yeah...for...

DET. : And then...

: When I first seen the officer, he was already out of the vehicle...

DET. : And you're not...you're not sure where.

No.

DET. : Ok. And but..the..the other guy, the African American gentleman...was..on the yellow line of the road?

: Yeah, he was going down..he was going down the middle of the street...

DET. : Ok. Um..and how many times do you think the policeman shot?

: Well, I heard three to four shots before...that...we..we first heard three or four shots...

DET. : Right...I'm talking about...

:that is what got our attention...uh...he wounded him, and then after he came back, umm...four..six...umm..I figure all together, pro...he..(stumbling)...yeah..'bout ha...you you you...about five or six times with..w..w..w..um...at the end.

DET. : Ok.

: Uh...(clears throat)

DET. : So when he was walking back there was..there was more shots. Um..could you tell if he had anything in his hands?

: I...could...at one point...when I..when I first saw him pointing at the car, I swore he had a gun. Uh..later I didn't see anything in his hands, but I

couldn't really see his hands, we were...we were too far away and his arms were down at his sides.

DET. : Did you hear anybody yelling anything out? Did you hear the policeman yell? Did you hear the African American man yell?

: Uh..I was in the car..window up..air conditioner going...uh..we heard the gun shots, and uh..as we were turning down on the side street, and...a..it was all over..and the guy was on the ground and we were driving around...

DET. : Ok.

: I..I could hear people yelling. Uh..typical women in the background... (quietly) "Oh God"..yeah..I'm..I'm from north side...

DET. : Yeah.

: ...and I..I..been listening to these ghetto-ass...th..there's always somebody screaming at the cops.

DET. : Right.

I..I've ..I've gotten in trouble. There's been times where I would have just rolled on away...and the cops woulda let me alone, if I hadn't had some woman yellin' at them and annoying the cop (laughs)...

DET. : Alright. Um. Ok, so we're not sure on verbal commands. Um..

Yeah.

DET. : You got anything right now?

DET. : Uh, yeah, was there anything..that obstructed your vision of the officer? Like, it could...was there something in between you and the officer that would have obstructed your vision of..of him?

: Um..once..once I saw him shooting at the..at the fleeing suspect...because whe..when I first..when I first seen him, it..it..it..it was as the guy was turning to run..and he wounded him..you know..when he started to run...I didn't see him get out of the car..he was at this point, he was in the middle of the street. Fairly clear view.

DET. : Oh, the officer was in the middle of the street?

: Mmhmm..uh..

DET. : Or..

: He..he..he was out in the street...

DET. : Ok.

: ..you know..

DET. : ..away from his car?

: Uh, several feet away from his car.

DET. : Ok. And then..was there anything that obstructed your vision of uh..the guy he was shooting at? The uh..was he...

: No.

DET. : ...like was there anything in between you and him that would have blocked your vision of him?

: MmMm.

DET. : I just want to make sure I got um..it..it clear, cuz you said he maybe fired four to six times when he was walking back towards the policeman?

: The...

DET. : How many shots were fired if he was...when he was running away from the policeman?

: I..don't recall more than one, maybe two.

DET. : Ok.

: ...at the most. I..I..there...there wasn't a lot of shooting at..eh..eh..guy started run, cop hit him in the leg, he turned around.

DET. : Ok. Ok. Alright.

DET. : Um. So, were you at..how many police officers were there at the time?

: I saw one car, one cop.

DET. : Ok.

Uh, they were comin' from everywhere at this point. But..there w..I saw..the c...I saw one car, one cop. And..and..and..

DET. Was it..

And..and then we were going around, getting you know..
cuz..(chuckles)...we didn't wanna be there.

DET. : Yeah..wh..what kind of police car was it?

Uh..the little black and white, not black and white but the little....the little white county Ferguson..uh..the..the..with th..typical cop car with lights on...

DET. : Car, SUV, truck?

: I wanna say car.

DET. : Ok. Was the officer wearing a uniform?

: Yes, he was in uniform.

DET. Ok. What..do you know what the..the other guy was wearing? The African American guy?

: Uh..white t-shirt blue jeans. (pause). About my size...around six, six two..about two hundred pounds.

DET. : Could you see his face?

Uh..no. I saw a large black guy in t-shirt and jeans.

DET. : Um, and then you said, that it..it looked to you like he was pointing...

: Right..

DET. : ..a gun...

: When I first seen him, he was pointing at the cop. And it made..it..it..it..it looked like he had a gun. But I was two or three blocks up the street.

DET. : Ok.

DET. : Did he have one hand..two hands he was pointin' at him?

I am not certain.

DET Ok.

DET. : And when he was pointing , how was he...how was his...the rest of his body positioned?

It looked like he was..it looked like he was going to take a shot at the cop. It looked...(chuckles)...it looked like somebody..you know..getting ready to take a shot.

DET. : Ok.

DET. : Ok, so you're...it..just so I can describe it for the recorder, you're kinda standing with your feet/shoulder width apart..

: Yeah.

DET. : ...about..and..um..you're holding one arm down to your side, and your right arm...

: Right...

DET. :extended...

: But..i don't remember if it was both arms up or not..

DET. : Oh, ok.

DET. : Ok, that's fine.

DET. Ok.

: But, he was..it..it..it definitely looked like he was..you know...

DET. : Ok.

: And..I'm..u..I'm looking...and its like, my..my point of view was like over the cop's shoulder.

DET. Mmhmm

.....at the guy. You know, from a distance, but..and..I'm like, if he's star...I'm thinking to myself...if he starts shootin', they're comin' this way. (chuckles)

DET. : Ok. But you could still....but the officer wasn't blocking your view of him?

No.

DET. Right.

No.

DET. : Ok.

: The...the..the distance of maybe ten feet between them.

DET. : Ok.

: Uh...it w..it w..it was..it was just before he broke and ran. And..(chuckles) I was worried about gettin' shot.

DET. : That's understandable. Um..what I'm gonna do here is on the back of this map, I'm gonna draw, a road...k..so just a basic road with a double line running down the middle ok?

: Mm.

DET. : And then if you can, just kinda draw...and I know its not going to be to scale...

Right.

DET. : ...but if you don't mind, just kinda...kinda draw wh...uh..where were you at, and then how the police car was parked, at first.

: Well...we were comin' down the road.

DET. : Ok.

: (clears throat)...we were going this way.

DET. : Ok.

: And..the poli...(clears throat)...the police car was over here...uh..

DET. : Can you put a "P" in that so we know that's a police car.

: How 'bout...

DET. : Yeah, for cops. Cops just fine.

: ...cops...

DET. : Just fine.

: We got..we got the cop car here.

DET : Ok.

: Uh..saw the officer approximately here..

DET. : Ok.

: Uh..the assailant was...know..here..(stuttering)....about a..about a car length maybe..

DET. : Ok.

: Uh..and he was pointing in this direction...

DET. : Ok.

: Toward the cop.

DET. : Ok.

: ...and..from our point of view, I'm... was worried about stray bullets (laughs).

DET. : Right. Ok.

DET. : Ok.

DET. : And...uh..got..got wounded..got wounded so..over here...

DET. : Ok.

DET. : And...it was walking back toward the officer, and was gunned down approximately the same area where I first...

DET. : ..where he started running.

DET. : ...first seen him.

DET. : What I'm going to do here is I'm gonna write "police officer" here so we know..

DET. : Mmhmm.

DET. : ...that's who that's who supposed to be. And over here, I'm gonna put "deceased". So that we know...

DET. : Sure.

DET. : ...wh..who that one was. And then I'm gonna..uh..and then here at this mark here, I'm gonna circle that and put an arrow down saying "turn around point".

DET. : Right.

DET. : And then..and then you're saying that where he took off runnin' from is where he ended it back up at?

DET. : Now, here's...here's another thing that I was never very certain of....when he got...when he got hit, and he flung his arms out and spun around..

DET. : Uh huh.

DET. : I..I..I..he...might have thrown something, or..or dropped something.

DET. : Ok.

: I...I...I...couldn't tell. I was too far away.

DET. Ok. Anything else?

DET. : Um...Have you uh...before today...before we knocked on your door, had you been contacted by law enforcement in reference to this before?

No.

DET. : So, no one has spoken to you...

: You're...you're the first ones to talk to me about this.

DET. : Ok.

DET. : Has anybody else contacted you at all?

: No.

DET. : Ok.

: He....

DET. Uh...what..uh what made you decide to..to talk to us about this today?

My wife and I discussed it, and...look...I'm a felon..I...I...I.. don't have any love for the police. But..(chuckles)...

DET. : Yeah.

: I...I...I...I don't like you..I don't like you guys.

DET. : Well, that's fine.

: But...what I saw..to me..appeared to be an officer taking down a gun man, in a crowded residential neighborhood...and...befo...before somebody else got hurt.

DET. Ok.

And...to me..the man was just doing his job.

DET. OK.

And..all this..hoopla and bullshit..is..is..is..most...most..most of the people that are doing this shit weren't there. Don't know nobody involved. Ain't got no connection to it. They just want a reason to jump on the bandwagon and act crazy.

DET. Ok. Fair enough. Um..I do want to have you do this if you don't mind. If you can sign back here, and date...

: Sure.

DET. Uh..that way we know that that was you that did that uh...today's date is the..August thirteenth?

DET. Yes.

: August (chuckles)

DET. : Yeah.

: Thirteenth. Uh...

DET. : Fourteen.

: Yeah, fourteen.

DET. : If you don't mind, do the same thing on the front too...

: Sure.

DET. : Thanks.

DET. : Can you think of anything else?

DET. : No. Uh..I did wanna ask you..uh...we..we began recording our conversation here.

Mmhmm.

DET. ..uh...before the conversation was recorded, did we ask you any questions about the case?

: No. No. We sat and waited patiently for you to go get your recorder.

DET. : Ok.

DET. : Alright.

DET. Um..do you remember if any of the car doors on the police car were open?

I have no clue.

DET. : Ok. Ok. And I think that's uh...I think that's..everything I can think of now. Um..if..if we have any follow up questions, um..I'm gonna relay this to the rest of the team that that's working the case..if there's any follow up questions, can I call you at this number?

Yes you can.

DET. : Ok, and then uh...and then we can clarify if we have any follow up questions on that. Uh, at this time I'm gonna go ahead and uh..end the interview here. And its uh..one eleven PM and the interview was approximately twenty one minutes long.

END

August 9, 2014
6:40 p.m.
Detective
St. Louis County Police Department
Bureau of Crimes Against Persons

Detective

DET. : This is Detective of the St. Louis County Police Department's Bureau of Crimes Against Persons. The date is 8/9/2014. The time is 6:40 p.m. This interview is being conducted at This interview is in regards to St. Louis County Police Report Number 14-43984, which is classified as a homicide. The person being interviewed is

DET. : , do you understand that this interview is being recorded?

: Yes.

DET. : Is it being recorded with your permission?

: Yes.

DET. : Knowing that it's being recorded, are you willing to continue with this interview?

Yes.

DET. : Okay. If you can, , can you tell me your birthday?

:

DET. : And what's your social security number?

:

DET. Okay...uh, the reason I'm speaking with you is because I was made aware that there is some information concerning the incident that we're investigating which is the police officer-involved shooting that you would like to let the police know about. So..if you can, earlier today, um, as I said there was a shooting...can you tell me...what you... know about that shooting?

: Ummm, actually, proceeding up...leaving my apartment, coming up towards West Florissant, I was right behind the police officer. Um, two young men was walking in the middle of the street.

DET. : Okay. Which direction were they walking?

: Umm... actually they was walking towards the complex.

DET. : So they were walking towards....Glen Owen or were they walking up towards West Florissant?

: Glen Owen.

DET. : They were walking...okay.

: Towards Glen Owen, an I was coming up towards West Florissant.

DET. : And you said there was a police officer in front of you?

: Yes.

DET. : What ki..what type of a vehicle was he in?

: A Ferguson police truck.

DET. : Okay, it was a truck.

: It was a truck.

DET. : Okay, like a pickup truck or an SUV?

: Umm, SUV.

DET. : Okay, and you were...how far behind this police officer were you?

: Umm, actually, probably ten feet.

DET. : Okay...

: At the most.

DET : Alright, so..from that point, you're behind the police...vehicle, a, you see these kids walking...you said..ho..describe how they were walking down the street.

: Actually, they was walking in the middle.

DET. : Down the center of the street?

: Of..

DET. : Down the center of the yellow line?

Yes

DET. Okay. Alright, so this police officer is approaching them...

: Is approaching them...

DET. : Okay, and what do you see?

: Um, as the officer approached the two young men...um, I don't know what was said, you know between the two parties, but I know something had to had been said...so...

DET. What...now, why do you say that?

Ah, just because of...just basically that their truck was moving back and forth like it there was kinda a tussling thing...

DET. : Okay

: ..going on.

DET. Okay just to make sure that I have this correct...the truck is headed towards the gentlemen that are walking, as you referred to it as "on the yellow line" ..

Yes.

DET. Okay, did that truck..did the police officer's truck at any point stop?

: Yes. For a short period of time. Yes.

DET. Okay, now do you know why that police officer had to stop his truck?

: Um...not to my knowledge no. I didn't know why.

DET. : Okay. Okay. Um...but he did. Where were...where were...the um...the young men at when he stopped.

: They were st..still proceeding to walk in the middle of the street.

DET. Okay, so they didn't mov...they didn't move out of his way?

: Um, no sir, they did not.

DET. : Okay. Alright, so the police officer stopped and he stopped right next to them? Did he stop...like in front of them, or did he stop once he passed them up...or?

: No, he stopped like right on the side of 'em.

DET. : Right on the side of them?

: Right on the side.

DET. : Okay. Once he stopped his vehicle, tell me what you saw.

Once he stopped his vehicle, um...like I said, I...I didn't hear or seen anything once he stopped his vehicle. I just saw the one young man that was with him, with the deceased suspect, I saw him...

DET. What'd he look like?

He had...he was a brown skinned guy, he was kinda short, kinda thin...with dreads.

DET. Okay.

: Ah, when I saw him, like come...like in the back of the truck...he was like, like looking but...didn't know what was going on...but I saw the fee..the foot, the feet of somebody, I looked up under the truck; I saw the feet like moving and it was kinda tapping, like, it was like some kind of confrontation going on.

DET. Okay and whe...at the time when you saw this police vehicle, you said you saw it shaking from left to right?

: Yeah. Like it was...

DET. : Okay.

: ...like it was...

DET. Where was the police officer at?

: Still inside.

DET. So he was still inside the truck, sitting in the seat?

: Yes, sir.

DET. : And you said you saw, you could only see feet from underneath the vehicle...

Yes, sir.

DET. ...of the other young man that was standing outside.

Yes, sir.

DET. : Okay and you saw the truck shaking back and forth?

Yes, sir.

DET. : Okay. And it looked like it was a confrontation...

: Yes..a lot of (UI)...

DET. : ...between the police officer who was inside the truck and..and the young man?

: ...and the suspect. Yes, yes sir.

DET. Tell me what you see next.

: After I saw that, I see the young man with the dreads...like bag back...and actually, I see him now because the trucks so big, course he's so little so ..

DET. : Ah hah.

: ...I see him now, come from like in the back... like he was trying to see what was going on, like it was a struggle.

DET. Okay.

Okay? Once that had happened, um...I heard the gunshot.

DET. Okay.

: I heard one shot.

DET. : Now when you heard the gunshot, where was the police officer?

: Still inside the truck.

DET. He was still inside the truck?

: Yes, sir.

DET. And the young man is still outside?

: Yes, sir.

DET. : What do you see next?

: Um...after that..I s...after I heard the gunshot...I seen the...the actually suspect that got shot, like bag back...

DET. Okay, so...away from the ...?

: Away from the truck.

DET. Okay.

 : Like ah, like a “boom” I been shot, but he backed up.

DET. Okay, so he looked surprised, I guess?

 : S..yes, like he was..like he was amazed or whatever, so..

DET. : Okay.

 ..after I seen that, I seen when the young man and the other man proceeded to take off running.

DET. : Okay, which direction did they run?

 They was run...

DET. : Towards....

 : Glen Owen

DET : Towards Glen Owen.

 Yes, sir.

DET. Okay, so I think that would be East....so they ran East.

 : Towards Glen Owen.

DET. : Okay.

 Um, and when...in the process of them running, now, at this time, I’m down. Because, I heard a gunshot so I’m terrified.

DET. Okay.

 Once, I see the police offer get out of the car...

DET. Uh hmm.

 : That’s when I instantly ducked. I ducked for a minute but I saw him run past...

DET. : Okay

 Like I was...I was up enough ta, ta see him run pass..that’s that’s when I had ducked down.

DET. : Okay.

I processed...when I ducked down, that's when I seen the young man with the dreads come on the side of my car.

DET. Okay, on the...

 : ..and s..

DET. : ..on the right side?

 : On the passenger.

DET. : Or... Okay.

 : Trying to get in. 'Cause actually...

DET. He was trying to get in your car?

 : ..he wa, he was trying to get in because I was stuck right there.

DET. Oh, okay.

I was...I was actually stuck so...he's ducking down but actually trying to get inside.

DET. Gotcha. Okay.

 : I guess to get away from the gunshot, the man that was wit' em.

DET. : Right.

 : After he did that, I looked up, now by this time I'm looking up 'cause I'm terrified, now I'm looking up in my rearview mirror, that's when I see the young man...well he already ran past and then a police officer ran past. So when I looked up, I saw the young man turn, he was facing the police officer. He was towards the police officer.

DET. : Okay, so you saw the young man's face,

Yes, sir.

DET. : ...but you saw the police officer's back?

 : In my rearview mirror.

DET. : Okay.

And as I saw, I heard just three more gunshots. I don't know if it was two or three...I know it "dot, dot, dot" and then..I saw when the young man just hit the ground. When he hit the ground..I just got terr..I mean...I was just stunned

and..I never seen nothing like that in my life, so, I just end up proceeding to get away. In the process of me getting away, another truck came to me and almost hit me head on.

DET. : Okay

: With the police car.

DET. Right.

: So..I'm up in the grass by now...up in Canfield on the grass on the...the curb or whatever....and I just...I just took off. I mean I just seeded on down the street.

DET. : Okay. Is there anything else that you can think of that you haven't told me up to this point? Um...

: Umm...No, sir. That was...that was from front to the end. And after that I was just terrified and I just got away.

DET. Okay. Well, if there is nothing else..this..interview is being concluded. The time now is 6:49 p.m.

END

September 3, 2014
2:47 p.m.
Detective
St. Louis County Police Department
Bureau of Crimes Against Persons

Detective = Det.
Special Agent = SA
 DOJ =
 AUSA =
 =
 =

DET Okay today is Wednesday September 3, 2014, and the time is 2:47 p.m.
This is Detective with the St. Louis County Police
Department's Bureau of Crimes Against Persons . I'm here at
the FBI St. Louis Office in a conference room ah, with several individuals.
I'll go through the, ah, room now and identify those people. Special
Agent with the FBI, ah, with the Justice
Department, with the U.S. Attorney's Office and Mr... sir
would you say your name for the recorder please?

: .

DET. Okay and what is your date of birth?

:

DET. : And your home address?

Ah, .

DET : That's ...

: Ah, .

DET ... okay and you have a cell phone sir?

: Ah, ye.s

DET. What is that?

:

DET. : Okay, and also present with you today is ah, Mr. is it
, correct?

like .

DET. Okay and ah, Mr. you are a, an attorney representing
is that correct?

: Yes, yes and I'm licensed in the Eastern District of Missouri and the
State of Missouri as well as others but the only important ones are the
Eastern District of Missouri for today I presume and State of Missouri.

DET. : Okay, and uh, Mr. we have obviously had several conversations
with you, ah, over the past ah, several days is that correct?

: No.

DET. And say several days with you and/or your attorney about coming and
meeting is that correct?

: Oh yea you talked to my attorney.

DET. Okay, and ah, for the purposes of today ah, you've came down here
voluntarily under your own accord is that correct?

: Right.

DET. And, you're okay being here?

: Yeah. Uh huh.

DET. : And we've already mentioned to you that this was gonna to be recorded
you're okay with that right?

: Right. Uh huh.

DET. Okay, and um, do you have any questions before we begin?

: No.

DET. : Okay. So as I ah, had previously mentioned or I guess I did not mention
this is in reference to St. Louis County Complaint Number 14-43984 ah,
which is an incident that took place in the Canfield Green Apartment
Complex on Saturday August 9, 2014. would you ah, please
tell us your accounts of ah, what took place on the 9th of August.

Okay, to the best of my recollection...

DET.

Yes sir.

...ah, I was had left from the apartments and I was going over to my
and I I turned around and came back the
police truck was parked kinda. Okay the police truck was parked kinda I
couldn't get by so I stopped and I looked up him and this black male was
you know like struggling you know what I'm saying. They was tussling
and the police were sitting in the car and the black male was at the
window right? And they did...that went on for about two minutes I'd
say. So, I sit there and watch then all of the sudden I heard a shot...
POW... yeah right. Black male took off running. He ran down the street
and I don't know and in my mind I thought he maybe got hit because he
couldn't run that far...he didn't run that far he run I'd say about maybe
three car lengths or two and there was a brown car sitting there. He put
his hand on the back of the brown car. Then the officer got out the truck
he was kinda like chasing behind but the officer wasn't running that fast
you know like...looked like he was shaken up or something and all of
sudden the young man he turned around and started coming back
towards the officer yeah right. Then the officer shot him a couple times
then that's when I turned around (UI) I said it's time for me to go now. I
turn around right there in front of the officer truck and I burn out.

DET.

Okay and um, were you with anyone in your vehicle?

Was I with anybody? Ah, at the time no, there wasn't nobody.

DET.

:

Nobody else was in your vehicle?

:

No.

DET.

And can you describe the vehicle that you were driving that day?

Yes, I was driving a...

Can we take a break?

DET.

Uh huh.

:

Yeah.

DET.

Sure you want me to stop?

:

Please.

:

Uh huh.

- End of Part 1 -

DET. : Okay, so the time is 2:53 p.m, and we are resuming the interview with
ah, at the FBI St. Louis Office here. Okay so ah,
we left off ah, you were in your vehicle correct?

: Right.

DET. And which way were you, ah, heading on Canfield Drive?

I came from West Florissant I was coming up I was coming straight up.

DET. Okay.

FEMALE VOICE: Do you mind?

: I don't mean to interrupt I just want for a clarification and it's not to be
disruptive. He said truck. I'm presuming without knowing because I
haven't interviewed him about this that he's talking about a marked
squad car do you want to clarify that.

DET Yeah-yeah, I think well, sure.

: ... I-I-I mean to interrupt your train of thought but I'm, ya know as I
listen he said he went around the truck. Well, ya know you could have
a van police vehicle 'cause you've got those but I just wanted to be clear
what we're talking about for you guys?

DET. Yeah, absolutely.

: Yes, and we'll get to that.

: Okay.

SA : Sorry we just have this here so if you could kinda show where you...

: Where-where West Florissant at?

SA Over here sorry.

(Two people talking at same time)

: Could you identify to him what that is he may not be clear on an aerial
shot.

SA Here is West Florissant and Canfield.

DET. Sure .

Alright I... I

SA And then, I don't know where you were going but this is Northwinds right here.

Right-right-right, I-I-I was coming up from West Florissant...

SA Okay.

: ... up Canfield this was 'cause like I stayed over in here in the

SA In the North-in the Northwinds Apartments or is this still Canfield?

: I-I-I 'cause I had moved out from my ...

: Sit down here...

... I there so I was coming back up in there.

DET. : Okay, just so we're clear you said that you were um, just for the purposes of the recording you were on West Florissant and you were traveling east on Canfield Drive?

I came from ah, let me see West-West Florissant...

SA Uh huh.

: ... and I was coming back east when I got to West Florissant I made ah, left coming into Canfield and when I got on up into Canfield that's when officer the police truck was kinda halfway in the street right and I seen him and the young black guy.

DET. Okay I'm gonna, can I stop you there for a second just so we understand. So you are at this point you are and ah...

SA If you could...

DET. ...Special Agent can ah, can obviously point out to what we are talking about here, but you are west of the police car or east of the police car?

: No-no-no-no-no, no when I...

SA Okay, can you show...can you draw the police car?

: Yes ma'am. Okay. The police car was sitting somethin' like that and my truck was sitting there.

SA : Okay.

DET. : And which direction was your facing?

SA : Can you make an arrow?

: I-I- I... I was the driver you know I was headed that way.

SA : So, just make an arrow just to show... yep, I mean can you make it were the front of the police car

: This is the front of the police car.

SA : Okay.

: He wasn't all the way across there, but he was kinda...

SA : It was enough that is was blocking?

: Right-right-right and then the young black guy was standing right there and the police was sitting at his seat and the was tussling (UI) for a few minutes and then all of a sudden I heard a shot and it was the driveway right here somewhere. I turned around in the driveway right and headed back out.

SA : Okay.

: Then I came on around and came into the back.

DET. : Can we, can I slow you down for just a minute?

: Yeah.

DET. : Now you said you pulled up on the-on the police car right?

: Right...uh huh.

DET. : ...and how many...

: They was into it when I pulled up.

DET. : And how many people you see in the car?

: In the police car?

DET. : Yeah.

: Ah, just the police.

DET. : Okay, and how many people did you see outside of the car?

: Outside of the car?

DET. : Uh huh.

: There was just him and there was another black guy standing back behind the police car.

DET. : And when you're referring to him who are you talking about?

I'm sorry.

DET. And when you're referring to him who are you talking about?

: Ah, ah, the young man and the police was tussling .

SA : Do you know his-his name now?

: Ah-ah, Michael something you know what I'm saying?

SA Yeah, Mike. Okay, so you saw Mike and the police officer.

: Uh huh. Right

DET. Okay when you're saying, tussling what do you mean by tussling can you describe that?

Ah, well he had a hold to Mike's shirt and Mike had a hold to his shirt you know what I'm saying you know so, there was , ya know like you know like I looked like Mike was throwing a couple blows you know while trying to get loose you know what I'm say you know so like ya know, like then all a sudden I hear the ... POW... you know and then that

DET : Okay... so, can I...I'm gonna have to stop you there, can I stop you 'cause I wanna, I just want to talk about what's taking place before the gun shot happens okay?

Uh huh, right.

DET. : So you're saying Mike, do you remember what Mike was wearing?

: Ah, let me see I know it was some short pants and ah, I saw like a grey shirt...and I saw like a grey shirt on .

DET. : Okay. Now did you know Mike before this or do you know him since this based off of the media associated with this case?

DET. : No-no. Never saw him before in my life.

DET. : Okay, so he's standing where again?

DET. : I'm sorry.

DET. : He's standing where?

DET. : Oh he's standing by the police window of the police truck.

DET. : Okay-okay, and is, the officer is where?

DET. : Sitting down in the truck.

DET. : Okay, and so this interaction between the two of them you said tugging on each other's shirts...where is that taking place and I know the maybe...

DET. : Yes... right there.

DET. : Okay. In the car? Outside the car?

DET. : Ah, he's standing outside the car window.

DET. : In the window?

DET. : ... you he was standing outside the car window and the police was in the truck.

DET. : Okay, can you describe the actions of the police officer in the car?

DET. : I'm sorry.

DET. : Can you describe the actions of the police officer in the car?

DET. : Well, all I-I seen from the police from look to me from what I saw it looked like the police was just trying to keep him blocked and was holding on, ya know, like that's what it looked like okay you know he just and you know had him blocked and then ya know like the young man was trying to hit the police and then police must have leaned over long enough to get to his gun right. Okay and all a sudden I heard one shot POW and then that's when he took off running.

DET. Okay now you as you're demonstrating this and again just for the recording as you're demonstrating this, you got your left arm up almost in a defensive posture is that what the officer was doing?

: Ah, ah, ah ... as far as I could see is, you know, like you know like, ya know, he was trying to block 'cause like if somebody trying to punch you you know like ya know like you know you tryin' to stop the punch you know what I'm saying a hold but all I know both of them had a hold to one another's shirt right and seen the young man was punching at him you know what I'm saying the officer last time I seen the officer he was leaning like that and I heard a shot.

DET. : Okay now you say leaning like that describe that what you're saying there, leaning ...

: Ah-ah, in his truck you know like if I'm sitting in my truck Mr here and he's at my window...

: is it a marked police squad?

: Ah yeah-yeah-yeah the car had police on it.

: Okay. It's not a truck?

: Right-right, looked like a Jeep.

DET. Well, that's...

: Okay.

: You know like tem short bed trucks (UI).

: Like an SUV.

: Right, right something like that he sitting in there and say this is my window and he sitting there and I got a hold to Mr. shirt and Mr. got a hold to my shirt like this and Mr. trying to hit me and I'm like this and then when he lean on like that the next thing I heard was a shot.

DET. : Okay, so your describing if you're the officer your describing yourself leaning over and...

: Hang on let him answer.

DET. : And hang on here's what I want to do okay I just want to make some clarifying ah, statements so we understand what you're saying and if

anything I say or anything that anybody says in here is incorrect please, please correct anything that we are saying okay.

: Yes sir.

DET. So what you're saying is the officer is reaching out of the car holding- holding onto Michael Brown's shirt. Michael Brown is reaching into the car holding onto the officer's shirt.

: Right, right.

DET. The officer is leaning over more toward the center console of the vehicle is that correct .

: Right leaning over toward the passenger seat yeah-yeah-yeah you know like yeah...

DET. Okay, and then Michael Brown is, is and you used ah, you used your attorney's what would be left hand, the left hand on Michael Brown would have been striking.

N-no. Michael Brown was hittin' I think with this hand, with this hand here.

SA His right hand?

DET. : Oh I'm sorry your right hand.

Yeah, because I right face the truck and Michael Brown standing like where she at and you sittin' were the police sittin' and...

: Hey let's do it this way. I'll sit you be the guy outside the car.

: Okay, alright now, take this my truck right here right I'm facing him right. Okay and I pull up there.

I'm sitting in the car.

: Right-right-right-right.

: Okay.

The officer hitted him there he hit the officer alright. He punched the officer and the officer lent over this way yea right and the officer had this arm up- this arm up-up like we holding onto the shirt, holdin' onto the shirt, right.

DET. Okay.

: And then all of sudden I... I heard the shot POW and then the boy took off and ran right okay then the boy ran I'd say about two – three car lengths and put his hands on the back of a brown I think it was a mercury I'm not for sure I'm not good to good with cars. And then the officer got out of the truck he had his gun down to the side say he going down side from the driveway though he going back to the truck like trying to keep him in sight and then boy took his hands off the truck, car...

DET. And the boy your referring to is...

Michael Brown.

DET. Michael okay.

: ...he took his hand off the car and he was coming back toward the police right and then all of a sudden I heard a few more shots I turned around. I was hauling back you know what I'm saying so I turned around and got out of there you know. From there, I turned around right in front of the police car was a driveway right there somewhere you know what I'm saying so then I see a few people standing out there and over there and there was a white car behind me because I couldn't back up that much to get out the way you know what I'm saying? Uh huh.

DET. Okay alright, so when Michael Brown runs from the vehicle and I think you already said this but what direction does he run in?

: He run back...

DET. : And you can use the map.

: ... the driver's side he run back up this a way. He ran back up this way is this West Florissant he ran back up Canfield this way and there was some cars parked up in there somewhere yeah right this might not be the exact spot right here but ya know he ran back that way you know what I'm saying? And there was some cars parked on the side there that he put his hand on the back on one of the cars like this. It looked like he was gave out of breath or something. And then he turned... the officer was coming towards him and then he turned around I heard two or three more shots and I burnt rubber you know what I'm saying I was gone.

DET. : Okay so, roughly now on that map can you indicate where Michael Brown stopped?

Let me see can I find something can remember on here.

: Meaning lent over to the brown car?

DET. : Correct.

Leaning over in front.

Alright, okay let-let say what it is alright this a police car here right okay alright and I say he ran somewhere you know like I don't know if he passed this street I don't even know what street this is but I know he ran back here and to the left here there was some cars parked to the left here. And let's say the car was parked right there and then he like-like this him running he run like that and then he stop there. Now then the police had got out of the car on the same driver's side. He was coming behind and then police got about right there Mike had came back up yeah right ok and then all a sudden I heard POW, POW again and I turned around right in here somewhere and headed back out of there came all the way around up Chamber and came back into the back way.

DET. Okay and so the point that-the point that Michael Brown takes off running and the officer gets out of the car right?

: Uh huh, yeah.

DET. : When is the next time that you hear a gun shot?

: Well, as I'm leaving I heard a couple joints shot out also you right okay, then I didn't know what to think you know what I'm saying so like nothing till I heard everything on news after that you know what I'm saying.?

DET. : Okay, again you said that Michael Brown stopped kinda where you made that mark on the map is that correct?

Right-right-right.... It might not be the exact spot.

DET And I, we're not holding you to down to exacts on this okay. At the point that Michael Brown stopped on that on that map roughly you said he stops and puts his hands on the car for a moment, right?

Right.

DET : Kinda just leaning over as if he's a, tired is that fair?

: Yeah, tired or hit once you know I'm like, yeah, uh huh.

DET. Okay alright and then and-and let's just take this little segment of the incident okay. Let's not focus on anything else let's just slow down and

take this little segment of the incident. What does Michael Brown do at that point?

: Well, all I seen was you know like... like I said I was turning around at the point.

DET. Okay.

: I was turning around and when I was seen Michael Brown see all I see is he take the hand off the car and he coming back.

: He's coming back toward the police officer?

: Yes, he's coming back toward the officer right and then after that I had got turned around okay right my ...now my back to em, okay.

DET. : Okay, and I'm... let's-let's stop you there okay. You said he's coming back towards the officer. Describe how he's coming back towards the officer?

: Ah, last time I saw him he had his hand on his car like this then I turned around like this and then ya know, like hey then after that I was-I was-I was headed this way turned around.

DET. : Okay, alright let's-let's talk about the point where you haven't left yet okay?

Alright.

DET. Describe Michael Brown coming back towards the officer.

Okay, like I said after he took his hand off the car the officer was coming down this a way okay right and I guess he was tired or something after he took his hand off the car he was coming back towards the officer right and now I'm turned around half way.

DET. : Okay, okay coming back towards the officer is he walking, is he skipping, is he running? What's he doing?

: Well, from my recollection you know like he wasn't running.

DET. : Okay.

: You know like he was walking he was walking towards the police he was walking kinda fast but you know just walking.

DET. : Alright, is he saying anything?

: I don't know I really don't

DET. Is the officer saying anything?

And that's the honest to God I really don't .

: Did you have your windows up or down?

I'm sorry.

: Windows up or down?

: Ah, my window was down yeah-yeah. My widow was down yep. Uh huh.

: Do you know how-do you recall how many steps Michael Brown took toward the officer before you turned around?

: No, because like when I saw Michael Brown he was turned around coming back you know like all I could see was he was coming fast you know like I wasn't...

DET. : Okay.

...ya know, like really I messed me up you know what I'm saying you know to even see somebody wrestling with the police you know what I'm saying though like in the first place you know like I don't care what I did I ain't going to wrestle with the police 'cause you know you're not supposed to do that you know what I'm saying?

: So you see him turn around and you just showed that he took several steps towards the police officer quickly.

: Well, all I know he was coming towards the police I don't know-I don't know how many step, what because like I said after the first shot I was on my way turning around then...

Right. Ok.

... okay because like ya know, I'm scared now. 'cause like I don't wanna be involved, okay right, because like I had a bad experience of trying to help people you know what I'm saying you know like I was turning around getting out of there after that because ah...

: And the way that you moved the last time that you stood up there...

: Uh huh.

: ... you moved in a much quicker and um, more aggressive fashion. Did it look to you like Mike was coming back to try to talk with the officer or did it look like Mike was coming after the officer what did it look like to you 'cause you said that you were scared.

You know I (UI) to myself an awful lot ma'am and-and really honest to God truth I can't say either way but you know if I was the officer I would look nervous too you coming back toward me and you just hit me you know what I'm saying you know like you know but-but I really can't say about that ma'am and tell the truth you know what I'm saying you know.

That's fair.

That's what we want tell the truth.

DET. Did you see ah, where were Michael Brown's hands when he was walking back toward the officer?

: That's-that's another thing but when the last time I seen Michael Brown when he got off the car he was like this right but that's the last thing I saw.

DET. Okay and like this just for the purposes of the recording your hands are...

: When he took his hand off the car last thing I seen like that.

DET. : Down at your side in a normal position.

: Right-right that is the last thing I saw you know like far as I could see you know what I'm sayin'? Yeah, that's the last thing I saw you know and like I said I was turning around there and a I came on back around the back way and then that's when I went in the and told my that ya know like hey there had just been a shooting around the corner then the police was coming as I was coming out police was coming in.

DET. : Okay, and I know you said that we're not going to do distances on this okay did you see ah, you saw the officer outside of his car right?

: Yeah-yeah I saw the officer when he got.

DET. : As Michael Brown is coming back towards him...

I saw the officer when he got out, yeah, right.

DET. : ...okay, did you see the officer shoot at that point when he was outside the car?

: No-no, I didn't see the shot okay, but I heard-I heard the shot yeah, righ. I didn't see the shot, I heard.

DET. So at the point that-that he starts walking back or moving back towards the officer is the point where you are now focused on your vehicle turning your vehicle around is that a fair assessment ?

: Oh yeah, I was then I was looking you know like to see whose, anybody else seeing this you know what I'm saying you know. That's when I saw all the people and this white car behind me I was trying not to hit that 'cause I was trying to, ya know, get out of there you know what I'm saying?

DET. Okay, alright and so you turned around and you went back towards...

: I went back to West Florissant...

DET. West Florissant.

: ... took a right on West Florissant came up to Chamber came round to the back way I don't know the name of that street but ah, just old W something like that ah, right in front of the fire station on a-a Chamber. There's a fire station right there

DET. Sure, sure, okay.

: ... and there's a street you can come into the back of the apartments there you know.

DET. : Okay, so we've talked about now the incident itself right and we've talked about ah, the first male that was there Michael Brown you said when you originally were talking you said that you saw two males there.

: Yeah, I scene another boy running on this side running that way.

: Wait a minute. What side?

: Ah, ah after the shot I seen another boy running towards the (UI).

DET. Oh can we back up when you first pull up right...

: Uh huh.

DET. : ... and you see the police car in the middle of the street.

: Right.

DET. ... you see two males out there right?

Right-right one standing back there and one..

DET. Wait, when you say standing back there...

: Right, he was all like-like say this the truck, he's standing like back by the truck like about like this on the-on the passenger side.

DET. : Okay. On the passenger side of the truck.

: Right, he standing back like this, yeah on the passenger side.

DET. : Okay, so just standing there?

: Yeah-yeah he's just standing there but Mike Brown and the officer, he you was looking in the driver's side which the officer they was into it.

DET. Okay, and what is that second individual not Mike Brown what's that second individual wearing? What's he look like?

Really honest to God I can't tell what he was wearing 'cause really don't remember 'cause I was paying so much attention to ah, the kid fighting with the officer you know.

: Is there a size difference between two the two black men that you saw?

: Yeah-yeah there's a size difference he was smaller you know, he was smaller.

: Which one was smaller?

: Ah, the one standing on the back side, right there on the passenger side.

: On the passenger side.

Yep.

DET. : Is there anything ah, that you noticed about that second individual at any other point in this sequence of events. (UI) passenger side?

Well, not really because so busy paying attention to Mike Brown and the police getting into it right okay...

DET. : Sure.

... and you know like so you know that was about the biggest thing I was really looking at and then after I heard the shot like I told you, ya know, like when I saw the officer get out of his car you know like and the officer was headed towards behind then I saw Mike get up off the car coming back you know then hey I turned around I was gone.

DET. : Alright okay. Let's back up and talk about one specific thing here. Inside the car, how many times do you think you saw ah, Mike hit the officer?

: Well, I wouldn't quote it but I say at least three. I say at least three he don't, he may have hit him more than that but you know like all I seen is arms going out the window you know what I'm saying so I see his arm going in and out the window you know like in that punching mode, ya know. That's what I saw.

DET. : And did you see the officer's hands doing anything I know you made mention of kind of a defensive posture.

Yeah, you know he was tryin' to protect himself looked like to me. It looked like he was tryin' to protect himself to me, you know.

DET. Did you see the officer's hands doing anything else?

: No, and I'm telling the truth only thing I seen the officer's hands do is holding his shirt okay I didn't see the officer hit you know like I can't say that so...like and that's what I saw. I didn't see that okay in the motion I'm the type of person you like really, ya know, like I miss something from the excitement 'cause like you know like I'm trying to get the heck out of there you know like ya know. One thing you find out about me if a cops around I'm going the other way you know what I'm saying it just that simple you know. Really and that's the truth you know.

Did you say when you-when you heard that first shot ah, inside the police truck, ah that the smaller individual ran did you say that before?

: Yeah, both of them took off running.

: Okay, did you see where the smaller-where the smaller individual went?

: Yeah he went-he went-he went like that way and Mike kept in the street you know what I'm saying.

: Okay, and you're-you're directing that the smaller individual ran north that would be north?

: (U) Mike ran this way and but the little one he ran through the grass and was that way towards the building and Mike ran over that way you know what I'm saying just straight up the street.

: Okay alright.

DET. Other than these two individuals right that we've made mention and the officer...

: Yeah.

DET. ...did you see anybody else outside?

Yeah, I seen a lady standing here to the left she had on a I remember a white I don't know if it was a white tee shirt or blouse 'cause I turned around she was right there in her face, ya know what I'm sayin'? Ya know, I was backing up then I seen a white car behind me and then it was another car right before me had turned around before I got up to the you know from the line before I realize this was going on you know what I'm saying like I said when I got there it was all going on.

DET. Do you know who any of these people were?

: No, no sir I don't know anybody in the complex but

DET. : Okay.

: Were the light on, on the squad car?

: No, huh uh. The light wasn't on.

DET. : What kind of car do you drive?

Ah, I drive a

DET. : Is it ah

: Ah, it got the you know what I'm saying no back doors you have to open and come in through the front doors.

DET. A right?

Right.

DET. : Is there anything distinguishing about that vehicle?

: I got a on the back.

DET. : A what?

: A .

SA

DET. : Oh a

: Uh huh. It's in the shop now but...

Was that the vehicle you were driving on that day?

: Yes sir-yes sir.

SA : I think you asked my questions.

: Um, can I just kinda take you back through this real quick and ah, again if I say anything that is incorrect correct me okay I just wanna make sure I understand first ah, let me just at the beginning the fact that we had talked to you or your lawyer a few times before this to set up this meeting right but you haven't actually told us what happened that day until today right?

: Right, right until today.

: We haven't talked about that before?

: No, this is the first day.

: This is the first time. Okay, and then also as we started um, this interview there was a period where you and your lawyer asked just to stop it real quick so that you could discuss something.

: Right-right.

... and so it was at your request we stopped the tape and then start it again is that right?

: That's right

Say yes.

: Oh, Yes sir.

: You have to say yes or no just so the tape will pick it up and of course

during –during while the tape was stopped you and your lawyer had an opportunity to talk no one threatened you or promised you anything or anything like that?

: No-no-no. No one threatened.

: I just want to establish what happened when the tape was off okay.

Uh huh, okay .

: And also when the tape was off we didn't talk about this at all about what happened. We waited till be turned the tape back on correct?

Right-right . Uh huh.

: Now my understanding is on August 9th you were ah, in your vehicle and you were coming from West Florissant road east on Canfield. Is that right?

: I've-I've come from this a way say if this is West Florissant (UI) I'm coming from towards the airport, that's west I was coming back east yeah, I'm comin' back east.

Okay, alright so your coming back generally east on Canfield.

Than I turned a left on Canfield I was coming up this way

: Alright and you see the police vehicle which is facing generally the opposite way or west correct?

: Right. (UI) c'ause I look like he got turned crossed a little bit yeah right and further enough across the street that nobody could get through.

: Okay alright. So you see his vehicle there you see ah, the individual you have called Mike or Michael at the driver's side window...

Right, right.

... and you described it as him tussling with the police officer?

: Right.

: You saw him, you saw this Mike throw several punches at the police officer?

Well-well, like I said I couldn't count them but you know like he was throwing punches.

Right I'm not looking for a specific number but you saw him throwing punches at the police officer .

: Right-right.

: ...and you have described the police officer as leaning backwards in his driver's seat towards the center console or towards the passenger seat with his arm up trying to protect himself?

: Right, he was holding onto Mike's shirt trying to ya know, like block the punches too yeah uh huh.

: Okay, alright. And again if I say anything that's not correct then-then feel free to correct me.

: Alright.

And again just to clarify the punches that you saw Mike throwing they looked to like they were towards the officer's head or face?

Ah, yeah it looked like he was punching toward his face yeah yeah. It looked like it to me.

: And the officers arm were up (UI) with his arms flat out.

: Yeah, like this like if somebody trying to punch me you know like I got them with this hand right here because you know I got the shirt up like that and then like I said that went on for a few minutes and then all a sudden I heard POW you know what I'm saying then that's when the boy took off running.

: And-and just so you...I think we all understand what your demonstrating here but-but the tape can't see that...

Oh, okay, alright.

: ... so I'm sorta trying to describe that with words what your showing us with actions.

Right... okay

: So when your indicating that the officer is holding his arm up you had your arm in sort of a parallel to your head.

: Like a blocking.

: Like his forearm is blocking punches to his face or head?

Right, right, uh huh.

: And you saw that happen multiple times?

: Yeah, I saw that happen at least, I saw him at least punch at the officer a few times you know what I'm saying I can't count the number but you know like what went on before I got there I don't know.

: Did you hear anything being said between the two of them?

: No, I wasn't that close enough to hear them I wasn't close enough to hear what they was saying. Ya know what I'm sayin'.

(UI) I'm sorry. Go ahead.

: Could you hear if their voices were raised could you hear did you hear any noises indicating that they may have been talking or yelling even if you couldn't hear what was being said?

No ma'am all I seen was tussling yeah.

: Okay.

: Alright, and so you hear the POW?

: Yeah, I heard the shot.

: And-and it sounded like a gun shot?

: Yes sir.

: Alright, and that's when you see Mike or Michael ah, running and he runs further east then on Canfield generally basically towards the back of the police vehicle and past that?

: Right, right, uh huh.

And then I think you said early on that the police officer got out of his vehicle...

Right.

; ... and was moving towards Michael Brown although he wasn't running at full speed he was moving towards him but not really running towards him is that fair?

Yeah, he was like trotting you know in a daze of something to me...looked to me now, ya know like...

:

Before we move too much further on that when you saw the tussling that was happening in the-in the police officer's vehicle or at the window of the police officer's vehicle, were there and other vehicles between yours and his?

No-no- no ... the vehicle that was in front of me had turned around and left but um, I was then the first one then in line okay.

:

What time of day I may have missed this?

:

It was in the morning time but you know I can't say what time of day you know like because when I got to my it be kinda like 10:30 to 11 or something like that you know what I'm saying you know like maybe a little earlier I don't...I can't really recall time.

:

It wasn't dark out.

:

No, it wasn't dark. No, I know it was in the morning time because I head over to my to for her.

:

Alright, and so but it was broad day light?

:

Yeah, it was day light .

:

Alright, and so you see Michael head east generally on Canfield you say that he goes to a vehicle and stops and leans on it for a short time...

:

Right.

:

... and at that point the police officer is moving towards him.

Right .

:

Alright, and then Michael turns and is coming back towards the police officer...

Right. Uh huh.

:

... I think on point you said he was moving relatively quickly maybe not running but he was moving fast towards the police officer.

Uh huh, right.

:

At that point you begin to turn around to leave the area?

:

Yeah-yeah-yeah ya know, like I was turning around right then I was trying to get turned around after the first shot okay.

Alright, well, and let me ask you that as you're turning around you hear additional shots at that time?

Right.

: Okay, and did you actually see those shots or hear them.

: No, I didn't really see them I heard them you know , yeah.

: And from the time that you heard the first shot in the police vehicle...

Uh huh.

...until the time that-that you were turning around and heard those additional shots did you hear any other shots in between there?

Ah, now, let me-let me explain the way I sit right here when I was the first shot I said oh it's time for me to get out of here I was turning around, right...

: Uh huh.

: ...and I pulled up in the driveway and then that's I, I looked to the right I see him coming back towards the officer...

: Right.

: ...by the time I got back-back up about little bit I hear Pow Pow Pow then hey I was heading on out.

: So after the first shot in the vehicle the first, the-the first time you hear more shots ...

: Right.

: ...is after Michael Brown is moving back towards the officer.

: Right. Yeah.

... okay and then you turn around and you decide to take a different route?

: Yes sir.

Okay.

- : What was going through your mind about what was happening as you were turning around?
- : When I-when I first got there honest to God you know like I-I just couldn't believe I said you know like hey, ya know, like 'cause like it just blows my mind you know what I'm saying really.
- : What blew your mind?
- : It blew my mind because like I couldn't believe ya know like ain't this happen why are people tussling the police just talk to them you know like hey I didn't do nothing wrong if I did something you know like Hey, it ain't worth fighting with the police, ya know what I'm sayin'. I couldn't been (recording stops)

August 13, 2014
1:50 p.m.
Detective
St. Louis County Police Department
Bureau of Crimes Against Persons
DSN

Detective = DET.
Special Agent = SA
Attorney = ATTY.

Unknown Male 2 = UM2

DET. Today is Wednesday, August 13 and the time is 1:50 p.m. This is
Detective with the St. Louis County Police Department
Bureau Crimes Against Persons, DSN I'm here at the, uh, FBI, uh
division headquarters in St. Louis. Uh, in a interview room with Special
Agent and uh, also present in the interview room is
ma'am would you say your name for the recorder please?

ATTY. Attorney

DET. Ok and you are representing---

ATTY.

DET. ...-Ok and you are obviously present is that correct?

Yes

DET. Ok. what is your date of birth?

DET. Ok and what is your social security number?

uh, honestly I couldn't tell you.

DET. Ok

(Inaudible)

DET. Spell your, uh, spell your first name for me.

DET. And your last name?

DET. Your last name.

DET. is your last name-....

Yeah, yes

DET. Ok. And, what is your home address?

UM2: Here you go young man.

Thank you.

UM2: You're welcome.

DET.

Yes.

DET. And that is, uh, a complex that is just to the east of Canfield Green. Is that correct?

Yes.

DET. Ok. What's your cell phone?

I'm not comfortable givin' out my number.

DET. Ok. Well how would we contact you if we needed to-...

ATTY. You can contact me. I can give you my number. Do you want that?-...

DET. -...Ok. Please.

ATTY.

DET. Ok.

SA Easy to remember.

ATTY. Yes.

DET. do you work?

No.

DET. You do not? Ok. And then sir would you just say your name for the recorder please?

DET. And, uh, what is your date of birth?

DET. And your home address?

Um, actually I don't have one right now. I'm in between.

DET. Do you have a cell phone?

Uh, no.

DET. Alright. And this is reference to St. Louis County complaint number one four dash four three nine eight four and in associated Ferguson complaint number one four dash one two three nine one. Uh, you were obviously asked to come down here today and, uh, is that correct?

Yes.

DET. Ok and you did so and you arrived with your attorney and with your

Yes.

DET. And, uh I appreciate you coming down here, I appreciate all of you coming down. And if, what we're gonna do is uh, just ask you a few questions about, uh, the incident at hand and I'm sure you know what I'm talkin' about, right?

Yes.

DET. With, with Michael Brown and his death.

Yes.

DET. Ok. Uh, we have it, uh, that you were a witness to this incident. Is that correct?

Yes sir.

DET. That is correct?

Yes.

DET. Ok would you do me a favor, please? Would you scoot forward just a little bit towards the uh-...

ATTY. Excuse me.

DET. ...the uh, chair here. Alright. Would you please, uh, retell into the recorder, uh, your account of what took place that day. Ok and we're obviously gonna stop you and ask you some clarifying questions, but just kinda start from the beginning and go on through. Ok?

Alright. Michael Brown was my best friend and I witnessed him being executed in the middle of the street like he was nothing. And I was at my sister's house at the time which we were living at, which is at Canfield Apartments and my sister lives two minutes away.

DET. And what's your sister's name?

I'm not givin' that out.

SA Could you tell us which-...

ATTY. Can, can I say some, ask some clarifying questions for him?

SA Sure.

ATTY. Ok, now, you say your sister, what floor was she on?

She lived on the third floor in Canfield Apartments.

ATTY. Ok, and that was right above the incident that took place?

Yes, I seen it through the window.

ATTY. Ok

DET. Can you tell us what building?

ATTY. Can you tell him the exact building that it was in? Not the address, but the, just the building or point it out on that photo?

It was on a curve, I can't-....

ATTY. You can't really from that area of view-...

It came from, comin' down Canfield from where it started to basically almost the last-...

SA So this is West Florissant.

It was on the last building. It was just in the enclosed part, in Canfield.

SA The last building. Here?

Close to Northwinds, yes, this is, this is Northwinds-...

DET. Yeah.

SA Um hum.

My sister's building is right about, right there. That's my sister's building.

SA That's your sis, Ok-...

Yes.

SA Could you put an X on that? Ok.

DET. And what floor is she on?

The third floor.

SA I'm gonna mark that a little darker right there.

DET. Ok, and where were you at in the, uh, apartment?

I was in my nephew's room.

DET. And which way does, a, your nephew's (inaudible)-...

The window faces right out to where he was killed at, which is right here. He got killed right here.

DET. Ok. Alright, so we're saying that, that this would be the apartment right here-...

Yes.

DET. Correct? And so what window were you looking out within the apartment?

The, it was only two windows. It, the one that was facing the street which was right here.

DET. (Inaudible) and this, and you're making reference to a west facing window that looks towards Canfield is that correct?-...

Yes. Yes-...

DET. In the direction that I'm moving my pen right now?-...

The way you're movin' it is the direction, that's exactly where I was lookin'.

DET. Ok. So you're look, you're in your nephew's bedroom, right?-....

Yes.

DET. And you're lookin' out the window and what do you see?

I was on the phone, I heard the first gunshot. I didn't see the first gun shot, but when I looked out the window, cause I knew that Michael Brown and my cousin were walkin' to the store and I heard the first gunshot so instantly I hopped up and looked out the window and what I seen was Michael Brown drop to his knees and he had on a grey t-shirt and blood was rushing from either his shoulder or his rib cage, I know it was somewhere on the left portion of his body. And he was like, and I heard it and the window was closed so it was very loud and it was people honestly actually out there. I seen him drop to his knees and I seen the officer...

SA What do you mean there were people out there?

It was-....

SA Sorry to interrupt.

It was people out there, like it was regular day. People walking kids, walking dogs any other regular day of livin' in where I live. Kids outside, it was a, it was a Saturday, so of course it was gonna be a whole lot of traffic comin' in and out.

SA Ok.

So, I seen Michael Brown, my best friend drop to his knees, he dropped to his knees he looked at my cousin and told him "run for your life".

SA Where, where was your cousin?

Dorian.

SA Ok, where, where was he?

He was right next to him. That's the one who's been givin' statements on CNN and MSNBC. That's my cousin.

SA Um hum.

I seent them, I seen him runnin'. I seen Michael Brown drop to his knees and when he said that my cousin took off and ran. And I seen them shoot Michael Brown in the head as soon as the police officer exit, exited his truck-...

SA Ok-...

DET. So where was the-...

SA First of all, I wanna, I wanna tell you that you're talkin' to an FBI agent so if you lie to me we can charge you with one thousand and one later so I wanna make sure that you think about everything that you tell me-....

I'm not, this is not no lie. I would never lie about this. This is my best friend-...

SA I'm just, I'm just get, we give this statement to everybody-...

ATTY. They give this statement to everybody just to make sure you know that you're under oath-...

ATTY. And I know-...

I'm not gonna lie about-....

Atty I just wanted to, you know, I-....

As God as my witness I would never lie on anything like that-...

I will never, ever lie on my best friend.

ATTY. Ok. Now, I want you to back up, ok? And tell me from the point, I want you to go into more detail about the point where you said you saw Michael Brown with his hands up, Ok? And go in more detail, Ok?

DET. Well, can I, can I stop you there? Ok, I guess, first, let's, let's go back Ok. You hear that gunshot, right? And you get up and you look out your window.

Yes.

DET. And when you look out your window, I want you to, to draw a picture for me of what you see. Ok? Tell me everything that you see.-...

I just, I just told you, I seen my friend have blood rushin' from his shoulder or his right rib or his left rib. Through here he had a grey t-shirt on, it's no way of coverin' that up. I seen it.

DET. Ok.-...

Excuse me though, can you explain how it all, ya know, where was the police in reference to (inaudible)

DET. Here, Ok, yeah and here's what , here's what I want you to do-...

Paint the picture-...

DET ...draw-...

I'm tellin' you what I seen-...

DET. Ok. put an X where you saw Michael Brown standing when you first went to that window. Ok? And I-...

He was, he wasn't standing when I went to the window. He was on his knees in the middle of the...

DET. Ok, put an X where you see, where you see (Inaudible)-...

And, there was others...

ATTY. But I think, I think too that's, I mean just to say something. Is it better aerial view? OK. I guess it's alright (inaudible)-....

DET. And, and-...

SA These are the online (inaudible)...

ATTY. Closer aerial view-...

DET. Granted, I have, I have no expectation that we're talking about that he's, you know, that we've got a specific GPS coordinate on where it's at-...

ATTY. Ok, ok, ok.

DET. I realize that we're, that we're using a map here. Ok, so, you're here, Michael Brown is here, is that correct?

Yes.

DET. Ok, and you're saying that at this point right here and corr...if there's anything that is said in here today that is incorrect, please correct it. Ok? If I say anything-...

I don't have to correct anything (inaudible)...

No, he's sayin (inaudible)-...

Atty (Inaudible) anything (inaudible)

SA (Inaudible)

I know what I saw.

DET. No-no-no, if I say (inaudible). Ok?

Slow down, slow down UI

ATTY. He don't want you to characterize what you're sayin' wrong-...

He wanna make sure you (Inaudible)...

I'm not characterizing anything.

No, no-...

ATTY. No, no-...

listen to me one second . He wants to make sure that when he feeds back what he's hearing from you, that it's correct. Not that you are correct by what you're sayin' that he's correct and understanding what you're tellin' him.-...

ATTY. Yeah.

That's what he's sayin'. He's not saying are you correct about what you're sayin', are you lying. No. He wants feed back what he's hearing from you to make sure he understands what you saw. You know what you saw.-...

Can't nobody tell me what I saw.

No, oh no he's not done that-...

DET. Okay, alright. If I tell you-...

He said (inaudible)...

DET. If I tell, if I tell you, alright, so what you're saying is he turns to..., he turned and he picked up a hamburger, right? And you say, I want you to say "No, that's not the case". He turned and he picked up a soda, right?

SA So he's gonna reiterate-...

DET. Ok.

SA what he's already, what-....

DET. You-...

SA He's gonna retell what he's already heard you say and he wants-...

He want-...

SA ...you to interrupt him-...

...and say, no that's not correct-....

SA ...if he says something that's not correct-...

ATTY. That's not what I'm sayin'. I'm not, that's not what I'm sayin'. I'm sayin' this. So you can make sure-...

Yeah, that's what he meant-...

ATTY. ...you're sayin', you, what you saw-...

He wanna make sure that, that he's not misunderstanding you. That's all. That's all.

Yes.

DET. Ok.

I seen my best friend in the middle of the street with his hands in the air and he said, "please don't shoot me. The officer got out of his car and shot him.

DET. Stop, I'm gonna stop you there. Ok?

(Inaudible) frustratin'-...

DET. Just, just bare with us, ok? Cause here's what, here's what needs to happen, ok? In order for us to accurately understand what happened out here, ok? We have to ask you a lot of specific questions. Ok? And that's not-...

And I'm giving very specific answers.

DET. Hold on, Hold on.

DET. Listen, ok. And that's not us trying to, trying to be petty or us not trying to be, you know what I mean-...

(Inaudible)

DET. up front. It's, it's it's the, the details that matter in this, ok?

Yes. But, I'm tellin' you what I saw, sir-...

DET. I know, I know you are-....

That if you can't answer the question he asked you, then you can't answer that-...

(Inaudible) can I please, can I please tell you. Can I, can I (inaudible)-....

ATTY. Can, is it alright if he tells a story and then come back and ya'll get the details of it?-...

(Inaudible – Multiple people talking at one time)

If he say his story and then, and then, right-...

Can I please tell the story?

DET. Go ahead.

I seent him in the middle of the street with his hands up. I seen an officer. I couldn't even tell you what the man looked like. I seen him exit his car, shoot him in his head and then he shot him eight more times. It was four gunshots, then it was a ten second pause and then there was four more. And that's all I saw and by the time I made it outside, it was a crowd of people sayin' they killed that boy for nothin'. And the reason why I knew it was him was because of what type of socks he had on. 'Cause he had just left my house.

DET. Ok, where was the officer standing when he shot him, in relation to Michael Brown?

It was, he was standin' in front of him.

DET. How far?

Point blank range, like close-...

DET. Describe, it-....

Close, he was close to him.

DET. Gimme a frame of reference, from-...

His, his police cruiser was still on the side of them at the time.

SA Could you draw the police cruiser on the map?

I can't.

ATTY. How about this, how about this, can you, ok let's say, listen to me, listen to me-...

You gotta do this together.

ATTY. Ok, listen to me. Let's say this is Michael Brown, ok? Right?

Um hum.

ATTY. Ok, where was the police car? Like just show it by your hand.

It was, Michael Brown was right here, the police cruiser was right behind him.

Use this pen. Use this pen.

DET. Here's the car. Use this as your car and this is Michael Brown-...

Police cruiser was right, police cruiser was right behind him and Michael Brown was right there with his hands up and the officer was in front of him, like he got out of his car. He had, he got out of his car and walked up to him and looked him in his eye and he told my cousin to run for his life and he shot him. In his head.

DET. Can you draw a car? Right?

I'm-I'm...

DET. Can you draw, and, it, cause I'm...

SA It doesn't have to be perfect just a rectangle for a car...

DET. I wanna make sure we understand UI...

ATTY. Just...

I'm not, just, I just demonstrated to you what I just (inaudible)...

DET. I know

ATTY. Would you feel comfortable if I do it? Will you f-....

Yeah-yeah, I'll feel more comfortable if you drew it.

DET. Ok. Just the car.

ATTY. Just the car, ok.

Yeah just (inaudible).

ATTY Ok, can I. Ok, tell me, look at, look at this. Is this, this is the car, right?
Ok, I can't draw. I'm sorry.

SA I can't either

DET. Alright, this is the front of the car, ok?

Yes.

DET. So the car goes this way, right? Here's the front of the car. Alright, now.

Michael Brown was on the side of the car. Right here.

ATTY. So he was on the passenger side or was he on the...

No, he was on the driver's side.

ATTY. Ok, the driver's side.

DET. Ok. So...

ATTY. So he, is he like this? Is he like?
He's facing, he facing the opposite way-...

ATTY. So he facing, like, is he like this in front?
Yeah, he was facing the opposite way.

ATTY. Ok, now write out, I'm, I'm slow-...
From, from my window he was facing the opposite way.
His feet was towards the window?
His feet was, his feet was towards the police-...

ATTY. So his back was-...
...-cruiser. His back was towards the car.

ATTY. Ok.

DET. Ok, so I'm gonna put a circle where Michael Brown is-...
Yeah.

DET. ...-ok? And is that where you want me to put that circle, right there-...
Yes.

DET. ...or is it somewhere different?
It was right on the side of the police cruiser.

DET. Ok, I'm gonna put that circle right here and now I'm gonna draw an arrow which way Mike, which way Michael Brown was facing. Should I draw that arrow going this way or should I draw-...
He was goin' ...

DET. ...-that arrow going this way?
He was facing that way. That way.

His head was (inaudible)...

Yes. So he had to, so he had to get out the car in order to do something to him.

DET. Ok, now where is the police officer at?

In front of Michael Brown, with his hands, with Michael Brown with his hands up. The police was, the police officer was in front of him.

DET. Ok, so if now you draw me a circle where the police officer was please.

Right in front.

ATTY. Here just do it, he, cause he don't wanna say he drew that for you.

Right in front of him. Right there, like a step away.

DET. And which way is the police officer facing?

He is facing Michael Brown.

DET. Ok, so I'm gonna put an arrow right here facing this way, ok? And so we're just gonna say that this is the police officer, right? And I'm gonna say, I'm just gonna use initials here, I'm gonna say M B for Michael Brown. Is that correct in what we go right here?

Yes.

DET. Ok. Now let me ask you this question ok. What, how far is Michael Brown from the officer?

They was, he was right in front of him with the gun drawed to his (inaudible)

(Inaudible)

SA So as close as we are?

As close as-...

SA Or-...

...-we are with his hands on his knees like this. As close as we were just was-...

SA So...

Yeah. Like I know that they was very close-...

They was close.

DET. Alright. And now how far from the, this is the driver's side of the car right here because this is the front, right?

Yeah.

DET. How far from the front, from the driver's side of this car right here was Michael Brown? What's the distance here that we're talking about?

I could say it was about, it could have been the same distance.

SA About five feet or less?

It could have been the same distance.

DET. Ok, so I'm gonna do the same thing here-...ok I'm gonna draw uh, UI here and I'm gonna say, and I, I again, we're approximating, right? Approximately five feet. Did you say or less on this one?

More or less.

DET. I don't want to put words in your mouth.-...

No-no, it was five feet or more.

DET. Or more.

You thinkin' more?

Yeah.

DET. How many more feet do you think? And you can use the, the wall in this room or you can use a, if you played football-...

ATTY. If you-...

DET. ...-or if you play basketball.

The police cruiser was close but it wasn't very, very, very close, like how he got out his car close...

I would say five to less you know-...

DET. Hold on, sir, eh, I,-...

Oh, I'm sorry.

DET. ...-believe me I understand, ok, but.

That's right. You right.

It was, it was five feet. It was either five, it was between five to six feet.

DET. Five to six feet.

Yeah.

DET. Ok, now. Now we got this car here, right? And this is the front of this car, ok.

Yes.

DET. Now can you tell me on this map where was that car at?

If Michael Brown was right here the car was right here on the side, 'cause Michael Brown was in the middle of the street in the yellow line.

DET. Ok. So can you draw an, uh rectangle a square, whatever you need to do-...

I can't cause the X is too big, cause the, that was too small. (Inaudible)...

DET. Well again, but it doesn't have to be exact.

...-Michael Brown is in the middle of the street where X is.

DET. Um hum

He was on, right there.

That's the officer?

That was the officer-...

(Unaudible)

...-police cruiser.

Oh, that was the cruiser?

The cru, the, the truck. He was in a truck.

Oh okay.

It was a Ferguson truck.

DET. Ok.

Ok.

DET. Alright.

Ok.

DET. So, we've got the truck here, we've got where Michael Brown falls right here-...

Yes.

DET ...-is that correct? Ok. So now, now let's come back to this point here. Ok? And I-...

You know this is depressing.

DET you're doin' good, ok?

Um hum.

DET Bare with us, alright? We gotta make sure we're doin' this right, ok? Front of the vehicle's here, here's Michael Brown, here's the officer, right? And this is all correct. Is it not?

Yes.

DET. Alright. What do you see at this point when these two are standing here and I know you've said it, uh, you've said it once but say it again, ok?

I seen blood drippin' on his shirt. I seen it. It was stained, he had a gray t-shirt on. Blood stains.

DET. Where did you see the blood stains at?

On the left side of his body.

DET Ok.

'Cause that's the way I seent it. The way I seen him it was either from his shoulder, it was somewhere on his left upper body.

DET. Ok.

I can't, exactly say where it was. It was on the left proportion of his body.

DET. And at this point is he standing? Kneeling? Sitting? Laying down? What?

When he shot him I couldn't tell you. When I came to the window I seen him with his hands up in the air and he was on his knees and I heard "please don't shoot me."

DET. Ok, and the point that you're talking about is the point that you see this, this situation right here-...

Yes.

DET. ...-is that correct?

Yes.

DET. Ok, so you see Michael Brown on his knees with his hands up in the air- ...

Yes.

DET. ...-and demonstrate how you're putting your hands up in the air. How did you see his hands? So you have your hands not entirely all r-raised but essentially raised all the way up.

And he was, he was, he was a big guy. He was six, about six five.

DET. Ok.

He, his arms was probably a little bit long 'cause he had his hands up. I don't know about angle, none of that. He had his hands up.

DET. Ok, so you have your hands up, right? Just in demonstrating what he's doing and he is on his knees?

On his knees.

DET. Ok. Ok. And what is he saying?

"Please don't shoot me."

DET. Ok. What else does he say? Anything?

He told my cousin to run for his life.

DET. Ok. What else does he say? Anything?

That was it. By that time the officer shot him.

DET. Ok. Now, does-would the officer, the, we're talking about this police officer here-...

Yes.

DET. ...-indicated by the arrow-...

Yes.

DET. ...-ok, who's five feet away. Correct?

Yes.

DET. Ok. What does that officer do? And, uh, and when I ask what he do, I, I what he, what does he do I'm asking you what is he saying? What are his actions?

I couldn't hear him say anything. I just heard Michael Brown pe-pleadin' for his life. And that man out his cruiser, shot him in the head. I seen him let off, and when his body dropped he let off four more rounds and by the time I got to the end of the steps, he had emptied uh, he had shot four more times so in a totally of eight times.

DET. Ok.

I heard gun shots.

DET. You heard eight gun shots total?

No, I'm talkin' about after he killed him with the head shot. I heard two. I seen the one in his head and somewhere when he shot him, so for in total it was ten.

DET. Ok. Do, do this for me. Ok? You're now the police officer, ok? Would you stand up and demonstrate for me what you're talking about so I can visualize it and-...

ATTY. Do you want me to...-

I can do it if you want me to.

DET. ...-Well, no, I, I and I, I-...

ATTY. Ok.

DET. ...-I'd like him to if that's alright.

The police officer?

DET. You're the police officer now. And, and let's-...

(Inaudible) the time he got out.

DET. ...-can I use you, can I use you as a frame of reference for Michael Brown?

ATTY. Ok.

DET. Ok, I-let's just make the assumption that she's on her knees, ok?

ATTY. Want me to get on my knees?

DET. No ma'am.

(Inaudible) (laughter)

DET. That's fine, just please. Just sit on the chair.

(Inaudible)

DET. Is that correct?

Yes.

DET. Ok.

He walked up to him. Looked him in his eyes. My cousin, my, Michael Brown looked at my cousin Dorian and said run for your life. My cousin was right there crying. He said run for your life. He, my cousin was in shock. He didn't know what to do. He told him run for his life. And he looked at him and walked up to him and did this, and he dropped. Then-...

DET. Ok.

...-I looked out the win-drop, drop (inaudible)

DET. So, Michael Br-Michael Brown-...

I looked out the window. He look, he was, no, he drop, drop all the way down. He turned to the, Michael Brown was turned to the side. That's

how he, that's how when they said he had got shot in his arm, 'cause that how he dropped.

DET. Ok.

He stood over him and shot him four times.

DET. At where you're standing right now, would, you would be the...

(Inaudible) in front of him like this, four times.

DET. Ok.

Four, hit him four times. The last four, I didn't see 'cause when I seen them four shots...

(Inaudible)

...-I ran out. By that time I got to the bottom of the steps, I heard...

(Inaudible)

...-four more and then it was over with. I didn't even see the officer flee-...

DET. Ok.

...-I didn't see anything.

DET. Ok, sir, y-go ahead and, thank you.

Um hum.

DET. I appreciate you for helping out.

Um hum.

DET. ...-helping out. Ok, so just so I'm clear and because obviously the recorder cannot pick up what we're doing at this point, ok. Your uncle was on his knees with his hands up in the air, you walked up to your uncle facing your uncle, right? So you guys, you were standing at him and you pointed your hand out as if you were holding a gun, correct?

Yes.

DET. And you were essentially at point blank range where that, your hand was, almost touching your uncle's head...

Yes.

DET. ...-Is that correct? Ok. And you said that that officer fired one shot?

One shot.

DET. And Michael Brown falls to the ground.

He fell to his-...

DET. Ok.

...-he fell flat.

DET. Fells, falls flat on the ground.

He fall flat, he turns and the officer shot him four more times. That's how he got shot in his arm, cause I seent it on the news where they said where he had bullet wounds at. That's how they said he got shot in his arms-....

DET. Ok., I, I sir. I I, believe me, I, I understand but I don't wanna-....

SA When he fell, how did he fall?

He fell like this.

SA On his side?

Yes.

He wasn't just straight flat. He was kinda lumped on his side-...

He, yeah, he's, yes he was like on his side.

SA Um hum.

And, that's how he, and he shot him four more times and by the time I got downstairs, four more shots from me walkin' those twenty steps down, I heard four more shots in a total of ten shots. And I heard neighbors runnin' outside cryin' and they was like they just killed that baby for nothin'.

SA So you said you saw blood on his left shoulder, was that while-...

It was, I don't know-...

SA ...-he was still standin' up?-...

...-it was, that's why he had his hands up. When the officer shot him he dropped to his knees.

'Cause he said he didn't see the first shot.-...

I didn't see the first shot-...

...-he heard the first shot-...

...-I heard the first shot-...

...-but he had saw the second on which was the head shot-...

...that's what made me get up, I seen-I seen the second one that's what was the head shot.-...

That's when he fell.

-...That's what actually killed him, was the head shot. So he musta had already been dead. For that man to have some hatred in him to shoot him eight more times.

DET. Ok. Is this your best recollection of, of this account?

Yes.

DET. And this is a truthful account of what you're seeing-...

Yes, I, I would never lie. I wouldn't lie on my best friend. This is my best friend.

DET. Is there anything that you feel is important that we should know, anything that we-...

(Inaudible)

DET. ...-any questions we didn't ask you that we should have asked you?

No, I just, I this the question I got. Why?

SA So were there other, uh, people there?

Can, can somebody answer that question?

ATTY. But they can answer that 'cause they tryin' to get the investigation to find out the right things, so they can't answer that, ok?

Where there other people there that witnessed the shooting?

I can't tell who witnessed. I can't, I can only tell you...

What you saw-...

...-what I saw and my side of the story. That's the only thing I can be accountable for is for what I saw.

I understand that. Were that-any other police officers present?

I didn't see, I didn't see any body, 'cause when, 'cause everybody ran, eh, up and was like what's goin' on, what's goin' on. And, I can just tell you what I saw, 'cause everything had blacked out 'cause I just seen my friend executed and I seent it.

Was there someone else in the apartment with you?

No, my sister had just left to go to my mom's house which lives in Northwinds, which is my home.

What, did she leave on foot? Or, did she drive?

She left on foot.

Ok.

It was, it was, it's not even a one minute walk from my sister's house to my house. 'Cause we didn't have no cable and my sister left because she wanted to go ho-go to my mother's house and watch TV.

Ok. You said that you knew what he was wearing because he had just left your apartment?--

Yes, he, yes-...

...-Was he there before he walked to the, another location or to the store or wherever-...

Yes.

...-as you said he was going?

I was takin' care of him the whole time while his grandmother was in the hospital. I'm talkin' about buying food. My mother the day before that took me and him grocery shoppin' that mornin' to, uh, get some food for us because we, were, I haven't been, I ain't been eatin' I just been nervous, just, I just had a, a, gut feelin' that somethin' bad was

gonna happen to somebody that was close to me. And I couldn't honestly say it was him but, I knew somethin' was fittin' happen.

SA So do you know about what time this occurred?

It was around, it was around eleven. It was, it was eleven thirty, between eleven thirty and twelve o'clock.

SA Ok, and why do you think it was between...

I know that's what time, 'cause that's what time I woke up 'cause my girlfriend called 'cause I was on the phone with her.

SA Ok, so you, were you on the phone with your girlfriend when you saw this?

When I heard the first shot, I said "hold on, let me call you back".

SA Um hum.

And, I (inaudible)

SA What's your girlfriend's name?

I'm not givin' that. I'm not that givin' that out.

SA Ok. You understand why we're askin'?

It-...

SA It's so if there is somebody else-...

(Inaudible)

SA ...-that can corroborate-...

...-she can't...

SA ...-your story,

I wanna know why I'm bein', never mind. Never mind.

If that's somethin' you don't choose to answer you don't have to.

I'm not answerin'. I'm not answerin' that.

ATTY. Yeah, you don't have to, you don't have to answer that, but he, they just tryin' to make sure, like say like to put the pieces together so I understand. Ok?

It's, it's no pieces to put together. Everything I told you is one hundred percent the truth-...

ATTY. No, I, I-...

But from their angle, and you know I'm not against you at all-...

SA But what if we have witnesses that did not say the same thing that you just told us?

I'm tellin' you what I saw and not because he was my best friend, it's because I knew that that was wrong. It could not have been my best friend, it could have been anybody else and I still would have cried 'cause that was dead wrong.

SA So there's no reason why you would come in lie to us today?

Yes, I would never come in and lie at all. I was takin' care of this man while his granny was in the hospital. My uncle came and seen us two, three days before that and we was playin' him some music that we made. Tryin' to see if he would put us into the studio. He been with me basically-...

Everyday.

...-everyday since then-...

SA So he was with you earlier that day in the morning? And now I'm talkin' about Michael Brown.

I was, I was sleep. He used my phone, he called his granny to check on his granny to make sure she's alright 'cause she was in the hospital.

SA Um hum.

He came and tossed me my phone and said "I'm fittin' walk to the store". I said "Alright, I'm fittin' stay here and get some sleep".

SA What about the other person that was with him, was he also in the apartment with you?

He was sittin' outside.

SA Ok, outside the apartment-...

They had ju-...

SA ...-complex, or outside your...

...-outside, no, outside my door.

SA Ok.

He said-...

SA Do you know what his name?

...-they, that's they already have his name. He already.

SA I know his name. I'm curious to know do you know his -...

ATTY. Just say his name-...

Dorian. Dorian.

SA Ok, and you know his name is Dorian because you saw it on the news or you know his-...

That is my blood cousin-...

ATTY. Just, just answer it. Just make sure-...

See they don't know, they don't know...

ATTY. ...-They don't know that so just say how you know his name-...

That is my cousin.

SA Ok, so, he was-...

That was my cousin.

SA ...-in the apartment with you. Michael Brown was in the apartment with you.

Yes, he-they was outside talkin' he used my phone.

SA Um hum.

Threw it back to me and was like "we fittin' walk to the store" I said "Ok, I'm fittin' stay here and get some sleep" I didn't go to sleep until six o'clock that morning because I had a feelin' that somethin' bad was fitti'

happen. I didn't get no sleep that night. I, he told me to go to sleep, everything gonna be alright 'cause I expressed that to him.

SA Um hum.

Just like I done expressed to my family, what-...

SA Ok, so what time did Mr. Brown leave your apartment to go to the store? Do you know?

Between eleven thirty, between eleven thirty and, and-...

And twelve?

...-eleven thirty and twelve, yes.

SA Ok, so this incident happened right after he left to go to the store.

Uh, heh, I guess it happened on the way back.

SA Ok, so what time did Mr. Brown leave your apartment to go to the store?

ATTY. If you don't know, just say you don't know.

I don't know-...

ATTY. Ok.

...-I just, I just gave a time increment on when I know I woke up and heard the gunshot, which was between eleven and twelve. I cannot give you no specific time, but it was between eleven and twelve.

SA Ok.

Eleven thirty and twelve.

SA Ok. And then-...

I can't get any more specific than that.

SA ...-so, he left to go to the store, don't know what time it was. You heard a gunshot sometime between eleven thirty and twelve-...

Yes.

SA ...-and then you told us what you saw-...

Yes.

SA ...-here. Ok.

Yes.

SA Could you sign and date this please?

May I, uh, assist him on this?

(Inaudible)

SA Yeah.

Make sure you put

DET. So, you, you say you changed your name?

Yeah.

DET. Ok. When did you do that?

Uh, he, he can pro-he has the right of self identity, you know.

DET. Ok.

We wanna make sure that his original rights are really respected throughout whatever goes on through this, you know what I mean. And he has a right of self determination. In the name of his fore fathers. Can't take that from him.

(Inaudible)

ATTY. But can he also put the name that he, that you know-...

UI yeah that's why I said-...

DET. Ok. UI-...

...-that's why I said ...

DET. ...-and that's

Wait, what is the day today?

ATTY. Eight thirteenth.

SA Thirteenth.

ATTY. Eight.

Eight thirteen fourteen.

SA Um hum.

Can you put X, ,

SA He did.

I know.

...-Aw, ok. I'm sorry.

Eight thirteen?

SA Um hum. Fourteen.

DET. You know which way Dorian ran?

I couldn't tell which way he ran.

Det Can you just...

He, he told me personally he ducked behind um, a white Monte Carlo when the shots rang out.

DET. Where, where did you see Dorian at, at first?

He was right, I couldn't tell you. Only thing I seen was him in the middle of the street. My cousin said he ran and ducked behind one of these cars but I know for a fact they were together because they left, when they left my house they were together. That's the last person he told me that he was with, was my cousin Dorian.

SA Um hum.

I couldn't tell,...-I'm tellin' you what I saw personally. I can't tell you for everything that hap-I'm tellin' you what I saw personally.

DET. Ok, so did you see Dorian out there? Or are you, were you basing that off what you, what he told you later on after the event?

I knew he was out there.

DET. But did you see him out there?

He said he ran when the first shot rang out-...

DET. I, I understand that-...

...-so I don't know-...

DET. So what I'm asking you is did you see him-...

...-so know...

ATTY. So just, if you don't, if-...

...-I didn't honestly see him.

DET. Ok. Fair enough. And that, that's all, that's all I'm getting' at, ok?

ATTY. Yeah (inaudible).

DET. Alright. I'm just gonna mark here, uh, that this X right here is your sister's apartment, right?

Yes.

DET. And that, this, uh, rectangle here you identified as being the-...

Yes that is, it is, it is a grass hill between where they was fittin' to walk and to my parkin' lot, which my parkin' lot is right here, so you know that there was that close.

DET. Ok.

He was twelve steps away from here.

DET. Alright. The rectangle is identified as a police vehicle and this X is, and I'm just gonna use an initial here for M B. Is that correct?

Yes.

DET. Ok. All that is correct, uh as we, as we had discussed it, correct?

Yes.

DET. Alright. You ok with that?

ATTY. Um hum.

SA Uh is there anything else you wanna add? Anything-...

No I-...

SA ...-you wanna change?

... I'm tellin' you specifically what I saw. That's everything I saw, nothin' more, nothin' less.

SA Ok.

And one other thing, put all rights reserved above (inaudible)-...

DET. (Inaudible)

All rights reserved (UI).

DET. I'm gonna step out for just a minute. Ah, it's recording-...

ATTY. (Inaudible) so. Ok.-...

DET. ...-so I, I know obviously if you need to talk-...

ATTY. (Inaudible) step-...

DET. ...-talk, if you need to talk, stop it whatever-...

ATTY. ...-Ok.-...

DET. ...-but just so you're aware that it's still recording, ok?

ATTY. You did good.

You did. I know it was frustratin'. But really the thing is, it's gonna be worse if you have to (inaudible, whispering) at you. You just (inaudible, whispering) . Aw you (inaudible, whispering) actually sign it (inaudible)?

(Inaudible)

Alright, but that signature is actual cursive. That's your cursive?

Uh huh.

Aw it is. I'm trippin'. Sorry.

You say the name in cursive?

And put

It is

So they don't get confused, cause you

You don't have no rights as None. They fittin' to know that they can't just do anything (inaudible) to this, you know what I'm sayin'? They all know they got a nation to deal with behind it. When they talk to they boss, (inaudible). But it's the truth.

It is.

Ain't afraid of the truth.

ATTY.

You don't give them, let's not give them nothin' else.

(Inaudible, whispering)

ATTY.

You did good, though.

(Inaudible, whispering)

SA

Ok, we wanna go over a little bit more about the, the shots. Where on the body was Mr. Brown shot?

I wasn't there. I only could see through my window but I know it was a maximum of ten shots. I know he had got shot once, cause I seen blood on his shirt and then he, I seen him shoot him in his head and fire off four more rounds into the-...

Upper body?

...to his upper body.

SA

Um hum. Was that in the front? In the back?-...

He, he was standin' in front-...

SA

...-On the side?-...-

...-standin' over him. So I couldn't honestly tell you. He was standin' over him.

SA

Um hum. Ok. Is there anything else you'd like to change?

No, it's nothin' I would like to change 'cause I'm tellin' you exactly what I saw.

SA Ok. Well, I'm gonna tell you that we have multiple witnesses that have not said anything close to what you just told us.

You don't have to worry about that. Their perspective could be different. They coulda been at a different window.

SA They could have been.

ATTY. (Inaudible)

You don't have to worry about that.

ATTY. ...-But, ok...

SA The reason why I'm telling you is we've talked to the prosecutor and if you're lying to us...

(Inaudible)

SA ...-which we believe you are then you're gonna be prosecuted for lying to an FBI agent. Is there something that you would like to change-...

I'm tellin' you.

SA ...-right now?

If you tellin' the truth (Inaudible)...

ATTY. First of all, this is, she's just doin' a preference to make sure the statement's accurate. We know it is. You're tellin' the truth. Is that correct?...

Excuse, excuse me-...

ATTY. ...-Just say it's-...

...-excuse me, can I, can I talk-...

ATTY. Just, just...

...when I told y'all this story, it's, this exactly what I told y'all. It's exactly what I told y'all. As you as my attorney.

ATTY. That's exactly what he told me.

This is exactly what I told her.

ATTY. Don't -...

Don't let it agitate you.

SA I'm tellin' you that evidence-...

That's why I'm tellin' you I told y'all everything I, everything I told you I know.

SA Ok, well what if the evidence that we have doesn't support what just told me?

If any of his original rights are...

Look me in my eyes. I'm tellin' you exactly everything that I saw. Look deep into my soul.

SA Ok, look in my eyes. I'm tellin' you-...

(Inaudible)

SA ...-that the evidence-...

ATTY. Ok, ok-...

SA ...-doesn't support what you're tellin' me right now.

(Multiple people talking at one time – inaudible)

ATTY Ok, ok, can-...

You did your part for Mike, right?-...

...(Inaudible)I did my part for my brother-...

ATTY. Ok.

He wasn't my best friend, he was my brother-...

(Inaudible)

ATTY. We not tryin' to be adversaries. We just came in to tell what he saw, ok?-...

UI

SA Um hum

ATTY. And so that's all, you know so-...

So, so I'm (inaudible)

ATTY. ...-we don't

We had to pull him in here to do that, you know 'cause he didn't wanna do it, but you know. He don't need to be up here-...

SA Right

(Inaudible) I need that for my, I need justice for my best friend.

SA Well we need to hear the truth.

But I'm not gonna-...

SA (Inaudible) to solve-...

That's right.

SA ...-the case.

That's right UI.

But I'm not gonna lie-...

SA And, I'm tellin' you that the evidence that we have-...

...-'cause y'all-...

SA ...-does not support what UI-...

ATTY. Can I, can I, can I speak to the guy real quick? Is he in? Is he here?

SA

ATTY. Yes

SA Yeah.

ATTY. Can I speak to him, please?

SA Sure.

ATTY. Thank you.

I feel like this-...

ATTY. (Inaudible)

...I'm done, 'cause I just said everything, like that's only what I was supposed to be comin' here was down here to give my statement.

ATTY. Can we stop the tape recorder?

DET. You bet. It's uh, approximately 2:32 p. m. and at the request of, uh, Miss-...

ATTY.

DET. ...-Miss we're going to stop the recorder.

ATTY. Is that alright with you?

Yes. Stop it.

DET. you're ok. Ok.

END

FBI
FBI

$$= SA$$

Unintelligible = UI

SA

Alright, today's date is, uh, August 18th. Uh, the time is 2:48 p.m. Uh, this is Special Agent [REDACTED] of the FBI along with Special Agent [REDACTED] of the FBI. Um, we are here to speak with, I'm sorry what's your name sir?

SA

Yes sir.

SA

Is it common spelling?

Yeah.

SA

And, uh, we also have in the room, uh, sir can you say your name.

SA

Here at the, we are currently at the St. Louis County
Prosecuting Attorney's office. Um, um, as we said before
we started this recording and again this is being audio recorded, you're
aware of that sir?

Yes sir.

SA

Okay. Um, before we started this recording, we, we just, uh, told us, you know, who we were and why we're here. Um, Agent [REDACTED] and myself are-are agents on the civil rights squad here in the St. Louis FBI office...here to talk to you today about the, uh, death of Michael Brown. Um, all we ask of you today is that you be honest with us. Uh, for a couple different reasons, uh, first obviously this case is, uh, is, um, a very big deal. It's very important. Uh, it's gotten a lot of media attention, um, and so we wanna make sure that we get absolutely everything correct.

Yes sir.

SA And we can only do that if you're honest with us. Um, secondly, uh, what we tell everybody that we talk to is, it is, um, a federal felony that to lie to an FBI agent during the course of investigation.

Yes sir.

SA So those are the, really, the two reasons why we, why we just ask for your honesty today.

Okay.

SA Okay. So if you can tell me, uh, let's just start with, um, I guess, let's just start with your information can I get your date of birth, sir?

SA

Yes sir.

SA And your social security number?

SA

SA

SA

Yes sir.

SA And your address, sir.

:

SA You have, uh, apartment number there?

SA Apartment

I'm actually, that's actually my girlfriend house, she hasn't been stayin' there 'cause my mom had put me out.

SA Okay.

And, I've been there for like the last eight, nine months.

SA Okay, that's your girlfriend's house. Can I get her name?

SA ?

Yes sir.

SA
Yeah.

SA And, Michael what's the best phone number for you?

SA
Yes sir.

SA Okay. So, uh, let's just start with, um, October the ninth, this is, uh-...

SA August.

SA I'm sorry, August the ninth. Uh, a week ago Saturday, um, the day, um, of the, the shooting regarding, um, Can you tell me where you were that day? Uh, around the twelve o'clock was, was the time of the shooting. Can you tell me where you were around that time?

Um, exactly on Canfield headin' to my apartment.

SA Here on Canfield. Okay. And where were you comin' from?

Um, downtown area.

SA Downtown. Okay. Were you, you were drivin' I'm assume?

Yes sir.

SA Okay. So you were drivin' and you came up, uh.

Canfield. I made a...come up West Florissant.

SA Come up West Florissant-...

Made a right.

SA So north on West Florissant?

Yeah like if I'm comin' from Lucas and Hunt, I make a right on Canfield.

SA Okay. So that'd be northbound on West Florissant. I'll, I'll pull a map out here so we can (UI).

I was just sayin' you actually have a map I can just show you exactly, like. where I was at and how much of it that I actually saw.

SA Okay.

SA So what I've got here for you is a, uh, this is a map of Canfield. Here's the apartment complex here. Uh, West Florissant would be running north to south on the left side of this map. Does-do you see where I'm talkin' about? I'll get another one here that shows West Florissant. So there's more of a wider view.

That's West Florissant?

SA Um hum.

SA Yeah, this is West Florissant running north to south and then-

Okay, yeah, I turned here.

SA You turned here onto Canfield-...

That's that bar-b-que, that's bar-b-que spot.

SA Right.

So yeah, I make a right here.

SA Okay. And this is kind of a closer up view, you can see, this is a zoomed in from this map here

Yeah.

SA So here's the, all the apartments here on Canfield and this Caddiefield is these, these streets here.

Okay.

SA Okay? So do you, do you have an idea, you understand where this map is and where you were?

Yeah.

SA Where was it that you were at when you first saw any interaction with this officer and Mr. Brown?

Uh, I was right at the, uh, beginin' of these apartments. The very first, where the, um, leasing office at.

SA The leasing office, okay. Do you think you could mark 'em?

I was like, right on the side of the leafin' leasin' office.

SA Okay. Do you think you can mark on here where you think that is?

Right here. That's the leasin' office.

SA You think that's the leasing office?

Yeah.

SA Okay. So where would that put you then on the street? Where do you think you were at? If you just put a, like a star and asterisk where, where you think you were at in your vehicle.

I'm in the trees right here about like, right here.

SA Okay. And then where was it that you believe that the, the incident was goin' on at? Where you saw the officer and his vehicle and Mr. Brown?

(UI) like up in here.

SA You think right there? Okay, do me a favor and put your initials here so I know this is where you were. Okay, and then, uh, maybe just write Brown over here, is where you, that's where you think the incident happened at? That's fine. Um, so if you can just start off, um, this is, when you're in this position, you said, um, that was the first time you saw the interaction between the officer and Mr. Brown.

Yeah, I saw 'em.

SA And what is it that you saw?

Ok, uh, as I turned into Canfield, uh, actually sees some confusion goin' between the officer and Mr. Brown which wh-stopped traffic so I was like, sittin' out wonderin' what was goin' on I seen they had Mr. Brown from inside his vehicle by the neck and by his shirt.

SA So about, when you first saw them, they were already in contact...

Yeah, already in contact with other.

SA Okay.

And, uh, I see Mr. Brown strugglin' like to get back from him chokin'. And, before I knew it, the officer had held on to Mr. Brown. He had put his firearm and shot Mr. Brown, that was the first shot. Mr. Brown get loose that's when he-he runs approximately about, I say about ten, fifteen feet. He gets loose from the officer after the first shot.

SA Okay.

So, he gets loose about ten, fifteen feet. The officer fired more shots from his vehicle. Like, goin' on where this officer vehicle, once he get loose he shots the first time get loose, he shoots like this again.

SA So he's still sitting in, in the police vehicle.

...-and he's let about approximately three, four shots let, um, go after that.

SA Okay.

And by time he gets out his vehicle, look, after the first shot that's when Mr...the guy that was with, with Mr. Brown ducks. Mr. Brown take off that's when the guy that was with Mr. Brown ducks behind the police car in between police car and the car that was right behind the the police car. He duck in between those. And by the time Mr. Brown got that ten, fifteen feet the officer shot more shots from inside his vehicle, and before I knew it, the officer got out, kinda gave him a chase and that's where I see Mr. Brown slow up and throw his hands up. And the officer, like, patiently walked towards Mr. Brown, and that's when I seen another sh-like two, three shots fired at point blank range. That's when I see Mr. Brown, is it alright if I stand up?

SA Um hum.

SA Um hum.

SA Sure.

Okay, this officer and Mr. Brown he shoots-....

SA So is, just real quick, is the officer facing, are we f-are they facing each other?

Just like this.

SA Okay.

And that's when I seen 'em shoots his firearm again. Uh, I say probably about another two, three shots. And that's when I seen Mr. Brown lean over, hit his head, right on the concrete. Uh.

SA And how far away are they when that happens?

They...

SA Closer than you and I are now?

This is-this is...Just like this.

SA Just right there?

Just like this, he, once he got out his vehicle, he patiently, he gave, like I say, he gave a little pursuit I guess, if the shots from the vehicle that was firing after Mr. Brown got away, I don't know if they hit him in his back or what, but it slowed him up whatever it was. And that's when he stopped threw his hands in the air. He just like this, the officer gave a pursuit, he slowly walked up hit him two, three more times. Pow, pow, pow. He leaned over, hit his head. He laid flat just like this on the concrete. And that's when I seen the officer, patiently took his time, stood over, fired more shots.

SA How many?

I counted, I counted ten.

SA Ten?

I'm not just-...

SA Ten total?

Total.

SA Okay.

Okay.

SA Do you see that?

Um hum.

SA Okay. So let's-...

So this will still be my maintenance office?

SA Yes, this is still your maintenance office, this is just little bit, so it's got bigger streets for you.

Okay.

SA Okay.

Um-...

SA So if you could draw the officer's vehicle on there. Where you think the officer's vehicle is at?

Aw, yeah, this much better right here. A it's was right here. This (UI).

SA Yeah, that's fine.

I was right here. Mr. Brown and the officer was right here.

SA Okay, can you, can you draw for me on there how the vehicle was placed in the road?

Yes. The vehicle, like I said, I was facin' to come in. I was facin' to come in, he was facin'-...

SA You were, you were facing eastbound.

...-he was facin' me. The police off-his vehicle was facing me.

SA Facing you.

Yeah.

SA Okay. And is that, wh-was the vehicle stopped?

Yeah, it was stopped.

SA It was stopped. And was it facing directly toward you or at an angle?

At, uh, at uh angle, like the rear end of his vehicle was like on the, my side of the street for me to come in and par-you know it's, these two separate lines-...

SA Um hum.

...-his, his, rear end of his vehicle was, like, slanted over.

SA Slanted over, okay. So the rear bumper of the vehicle would be, say, facing kinda towards the southeast...

Yeah.

SA ...if this is south and this is east?

Yeah. It's, the rear end of his vehicle was like, he was like, like, if he was drivin' like, like he was double drivin' lanes, like he was drivin' both lanes.

SA Okay. Okay. So it's kinda angled towards, uh, towards this apartment here, apartment complex.

His rear end?...

SA The rear of the vehicle.

...Yeah.

SA Okay. And so when you first come up, uh, and noticed what's goin' on here...

I stop.

SA You stop.

I stop.

SA And you see then, they're already engaged with each other-...

That's when I see them get Mr. Brown look like he strugglin' to get the officer from around his neck. Uh...

SA So he's, is Mr. Brown standing?

Yeah, like, he was, pulled like his, the top of his body was like pulled in the vehicle, like the officer, he kept shruggin' back but the officer kept pullin' him towards him.

SA Okay, so he's standing next to the vehicle.

He right next to the vehicle, like this.

SA Okay.

This, slant...

SA Next to the driver's door of the vehicle.

Yeah, just like this, like if this was the window, he was slanted over like this. Goin' like this.

SA And the officer is...

Is holdin' him.

SA Is holding him by what? What is he holdin' on to?

His shirt and his neck.

SA His shirt and-...

Pullin' him towards him.

SA With both hands? One hand?

Both. Both his hands is in use.

SA Both his hands?

Yes.

SA So is he, is the door closed or open?

Yeah. It's closed.

SA So he's reachin' through the window?

He had him through the window the whole time.

SA The officer's reachin' through the window and grabbin' on to Mr. Brown.

Yes sir.

SA And what's Mr. Brown doin' in response?

He's like, he's strugglin' to get loose.

SA Okay. What' she doin' with his hands?

Far as I know he was, like, pushin' the officer hands, like, tryin' to get loose.

SA Okay.

SA Where was his friend when this was happening?

He was like, right behind him before they started, the shootin' started. He was like right there behind him, like, he was ss-screamin' like let him go and stuff. And, like, before I knew it he had Mr. Brown by his shirt and that's where I guess he reached and grabbed his gun and fired the first shot. Pow. Mr. Brown get loose, turn his friend ducks behind the police car and this car right here. He's behind the police car like this. (UI)...

SA So did that first shot actually hit Mr. Brown?

As far as I know, yes.

SA As far as you know.

Yes, and a...

SA Could you tell where? Could you see-...

I say, I say it was the chest-...

SA ...-an impact? Any blood or-...

SA (UI) Is that the left chest?

Uh hum. Like, yeah, about right here.

SA So the left.

Yeah.

SA Left part of your chest.

Yeah.

SA Okay.

SA

So did he...

That's when he get loose.

SA

So I just need to know whatever you saw. Whatever you saw, whatever you heard. Everything first hand. So, did you, did you see, the-the bullet hit him or did you see him movin' somewhere or did you see blood or how do you know that you think it hit him on the left chest?

I-I could see it off impact, like, he hit 'em, he-....

SA

You think you saw impact.

...-took off runnin'.

SA

Okay.

After the first shot. That's when he get loose and took off runnin'. That's when I see the officer, um, like I said, I'm seein' like, just like this watchin' him from my vehicle. That's when I see the officer, pow, pow, pow, pow, like that from out his vehicle window. (U)...

SA

So now let's, let's back to that part, so if his, if his car...

...this still him

SA

Right, if his car is angled this way...

...-Mr. Brown, I say, if this him, this the car that's blockin' them, his friend ducks in between them.

SA

Um hum.

Mr. Brown...

SA

He's g-he's directly, um, again this is, this is north, south, east and west. So he would be directly east, uh, behind the officer's vehicle?

He was right behind the officer's...

SA

His friend was?

...yes he was ducked in between, like I said, he was ducked in between the car that's behind the police vehicle and the police vehicle. He was ducked right behind it.

SA

Now how can you see that from this angle? How do you know that he was behind there, cause right now this, how,...

(UI)

SA ...- how can you see where his friend was?

Like, like I say, he was standin' behind 'em.

SA Um hum.

And after that first shot, pow, that's where he take off, ducked behind this car and that's when Mr. Brown is goin' this way, is runnin'.

SA Okay. So his friends ducks behind the car.

Um hum.

SA Uh, and that's after the first shot goes off. And the first shot goes off, the officer apparently was strugglin' with him through the window.

Um hum.

SA If I understand you correctly. And then he must have reached back in for his weapon?

Yes. Holdin' on to Mr. Brown.

SA Okay, so did you see him actually present his weapon out the window?

Out, out the window. As he holdin' Mr. Brown.

SA You saw him hold the weapon out the window?

He, he put his weapon right out the window and shoots Mr. Brown.

SA Okay.

SA What did, what did the weapon look like?

Um, I'd say, I mean, I don't know what they actually carry.

SA Color?

SA Yeah.

SA Can you give me a color?

Okay, black.

SA Black.

(UI)

SA Okay. Anything else on it...

No.

SA ...-just a black gun. Okay.

SA And I'm assuming a hand gun?

Yes.

SA Okay. So, um, so he presents a black hand gun out the window.

Out the window.

SA Did he...

First shot fires.

SA Is he right hand? Left hand do you know?

It's his right hand.

SA His right hand. So he had a gun in his right, and what's, what's the officer doin' with his left hand?

Holdin' on to Mr. Brown.

SA He's holdin' on. Is it his neck? His shirt?

Shirt.

SA His shirt.

By then...

SA (UI)

...-that's when he let's go with the other hand that gets free. The officer other hands, he let go of Mr. Brown's neck as Mr. Brown still struggling to get away from police car as he hold on to 'em with his left hand, he reached for his, um, firearm and fires it out the window, hit Mr. Brown in the chest.

SA Okay.

Far as I know. Yes.

SA You think it was the left chest.

Yes. Right here. Just like this.

SA Ah, what is, what is Mr. Brown doin' during this time? What's he doin' with his hands?

Ssh-...

SA When, when he reaches out the window with the gun, what's, what's Mr. Brown doin'?

He's str-strugglin' movin' his, let go of his shirt by then. I see him strugglin', like, he strug-like, Mr. Brown was bein' held, I see him, like, he literally, like, screamin' like pushin', like, he tryin't to get free.

SA He grabbed at his hands?

Yes, like, tryin' to move his arm and stuff.

SA Okay.

Like he tryin' to get free, basically he holdin' on to his shirt so he's like strugglin', he like pushin' him and holdin' on to his arm tryin' to get his arm free off him. The officer musta had a good hold because he was still holdin' on to 'em. And that's when the first shot rang out. Pow. I'm sittin' out like what the (UI), like where did that just come from. Mr. Brown, that's when he get to runnin'. More shots get fired out the vehicle. Pow, pow, pow. Um, like I said, if they, they musta hit him if more shots that's fired out the vehicle from Mr. Brown runnin'.

SA So as he's running away-...

More shots are being fired.

SA ...the officer shoots at him as he's running away?

Yeah.

SA Okay.

Yes.

SA And any of those hit him?

Like...

SA

That you saw, not what you think but what you saw.

Uh, far as I know yeah, 'cause he slowed right up. He slows right up. By then, like I said, the officer after he rung out them shots out his vehicle the more shots out of his vehicle, he steps out, he give him a little pursuit. It was like kinda lazy like he wasn't, like, put no effort in like to actually catch up with 'em, like he gave him a little pursuit, he slowed up. He stopped (UI)...

SA

Who ss-who slowed up? Brown or the officer?

The officer slowed up and stopped threw his hands up and the officer, I'm sayin' like, far as when the officer-...

SA

Okay.

...-gets out his vehicle he ain't give like too much of a run.

SA

Um hum.

Like he gave a like a slow pace, as Mr. Brown standin' out like this, he slowly, like slowly walked up on him and hit him point blank range. And that's what I seen happen. And I saw that, I saw him get hit far as in the face. He leaned over and hits his head.

SA

And again, so when we say point blank range,

Right.

SA

What is...

UI

SA

...what is the..

How close?

Like this.

SA

So that's a foot or two?

About uh...

SA

You think from the...

...probably say about two...

SA ...from the gun to him?

...I say about no more than two feet. Pointed at him just like this. I mean, Mr. Brown had to been like this for at least about fifteen twenty seconds max.

SA And did he say anything when his, when he was like that?

I can see him like, mouth like he was talkin' to him like he musta said like don't shoot me, or...

SA So you, you didn't hear him...

I didn't hear him. I didn't hear him.

SA ...-so again, we'll, let's go back to, okay, so-...

UI

SA ...-let, we're gonna talk about what we know.

Okay.

SA Because this is where details can get confusing.

Okay, no I didn't hear him.

SA So you didn't hear anything?

I just know they was like this (UI)...

SA So let me say, remember since we're recording this-...

Yes sir.

SA ...-you say his hands are, where are his hands at when they're in the air?

Clean air. Just like this.

SA All the way up.

Like this.

SA His elbows locked up? This kinda thing? Where? Straight up?

Just like this.

SA His hands are I mean...

I mean clean...

SA ...I would say that's, uh, foot or two above your head.

Yeah.

SA Would be sound right?

Yes.

SA Okay, so they're not down here...

No.

SA ...they're not down at the shoulder length.

No. (UI)...

SA And they're not all the way straight up, straight up and down there. They're kinda in the middle.

Just like this. Yes sir.

SA Okay. So is, and so you...

As he and as he like this, I see him comin' back, as he like this, the officer, like I said he gave him a little pursuit, he gets like, two feet max and hit him. Pow, pow. That's when I seen Mr. Dave leanin', I mean, not Mr. Dave, uh, Mr. Brown...

SA Mr. Brown.

...lean over hit his head. That's when I seen him lean over and hit his head. His body was still like, like this. Like this. And before I knew it not even...

SA Was he Kinda curled up on the ground...

Yeah just like....

SA ...like face down...

...just, face down, just like, he got hit point blank range he landed like this.

SA Okay.

SA So his torso is a little bit still in the air?

Yes, and...

SA Okay.

...before, I knew, not even five seconds the officer stood over, pow, pow, pow, pow, pow pow.

SA Okay, that was four or five that you just powed. How many, how many do you remember hearing? How many do you remember hearing?

Total shots or just right there?

SA Just right there.

I would say about five shots, four or five shots.

SA Four or five...

SA So, it was after he's already on the ground?

Yeah, after he already on the ground...

SA Four or five rounds. Could you tell where those hit at?

They had to go, like...

SA Not where they had to go, again I'm...

(UI) approximately, like,...

SA What did you...

Fact.

SA ...Okay.

: ...you tryin' to say by fact?

SA Yeah. What do you know? It's very important that...

SA Just say what you saw.

SA : Right.

SA What you heard, what you saw, not what you think, or, but what you actually saw....

 Alright...

SA ...I mean if you don't know you don't know...

 Like, I'm goin', I'm goin' off of what I actually saw.

SA Okay.

 Yes, like, I guess the back.

SA You think it, he shot him in the back on the ground.

 Yeah, yes.

SA Okay. Okay, I-let's, let's again, let's step back a little bit and I apologize...

 Naw, that's alright. I just wanna get this...

SA ...I just wanna make sure I understand the situation.

 Yeah, I'm just wanna get it off my chest, you know. 'Cause my family asked me did they want me to get involved with the situation, I actually came in here on my own, like I say, I contacted and he was, like, just, you know.

SA Now do-...

SA Okay, and we appreciate you doin' that, 'cause obviously, like I told you in the beginning, this is, this is a very important case.

 Yes sir.

SA Did you know Mr. Brown or his friend...

 No ma'am.

SA ...-prior to?

 No ma'am. I ain't never met him a day in my life.

SA Did you see him in the neighborhood at all or?

 Yeah.

SA You've seen him in the neighborhood?

Yes.

SA How, how old are you,

I'm fittin' to be, I'm fittin' to be,

SA You're fixing to be ? Okay.

Yes ma'am.

SA But you've never interacted...

Never ss...

SA ...with him or anything?

I ain't never said hi, bye to him.

SA What about the officer? Do you know the officer?

No, no sir.

SA Okay. Um, okay, so I think, I think we're, uh, I wanna step back to and, again slowly step through, is the-is the point where the first round's fired while the officer's sitting in the car.

Yes.

SA Uh, again the gun gets presented out the window, uh the left hand of the officer is holding on to the shirt of Mr. Brown.

He shot the first shot (UI)...

SA The first shot you believe goes into the left chest.

It hit him in his chest.

SA And then he breaks free of the officer?

:

Yes.

SA Okay. Does he step back? Does he step to the right, left?

No, he's, once he got free, he took, like I said approximately ten, fifteen feet, that's why I seen him (UI) more, the officer let shots out his vehicle.

SA So he immediately, so Mr. Brown immediately runs-...

:

SA ...down Canfield. Now this would be east on Canfield, this direction...

Yeah, he take...

SA ...from the drawing?

Yes, this, Mr. Brown, he get hit first time he goes straight like this.

SA Straight down Canfield. Okay. And, as he's running, you said the officer then...

L-let's more shots...

SA ...puts the gun out the window as he's sitting in the, in the driver's seat?

Yes sir.

SA And shoots through, and shoots out of the window.

Yes sir at Mr. Brown as he runnin'...

SA Okay. Okay.

SA Now do you know if he was hit? I know you said...

After the...

SA ...he's, I know you said slowed up when he was running, but that was, is that because you saw him get hit? Or...

Yes ma'am.

SA Okay, so you did see him get hit with...

Yes ma'am.

SA Okay.

SA So, um, was the door, the officer's door open or closed when those shots...

Far as, far as the-...

SA ...when he's running. You said he's shooting out the window.

His door was shut.

SA The door is still closed.

Yes, like he still, he still shootin' out his window, door closed.

SA Okay. So...

A, I think Mr. Brown get hits, with the, uh, with the shots that's fired out the window. By then Mr. Brown slows up. Like I said, the officer step out his vehicle give it a small pursuit. Mr. Brown by then turned around realized that he's right here with the officer. He, just like this.

SA Okay.

As the officer stood there, like he (UI) gave two three steps, stopped, no more than two feet, more shots. Pow, pow. I say two.

SA Um hum.

Mr. Brown, like, they hit him in his face. They hit him in his face. As far as me, from my vision it hit him in his face cause like, he leant right over.

SA Okay.

And that's when he leaned right over, like I said, boom, hit his head. That's when I see his head leakin' through the blood.

SA Um hum.

'Cause by then, after he stood over and fires, that's why I, pursued it with my route. That's why I pursued with my route to go around all this. And I looked down at Mr. Brown, and that's when more of the blood started rollin' out his head.

SA So after the incident was over, you actually drove through the scene.

We drove and then Mr. Brown just layin' there.

SA Down, eastbound down Canfield.

Yes, to turn into my apartments.

SA Okay, I-again, let me step back again.

I think this, this, I think this will be my apartments.

SA L-let me step back again for one minute. If I understand correctly, if this is the front bumper of the officer's car and this is the rear bumper, the car's kind of slanted in the road. Is that right?

Not too much slanted, though.

SA Not too much slanted.

I'd say, uh, this car.

SA Um hum.

Okay. Uh, like...

SA So is this Canfield Road-...

Yes.

SA ...these three lines?

Yes

SA ...and this is the center line of Canfield Road?

This the, this the road, this the center road, like...

SA Okay.

...this'll be, you know,...

SA The middle of the road.

Yes, and like the officer is like hogging lane.

SA Okay, so...

Like...

SA ...he's not...

...it wasn't too much slanted but the rear end of his vehicle was slanted.

SA Okay.

Like, like, like, like....

SA But, just a little bit (UI)...

: ...Just a, just a tad...

SA Not much.

...not too much...

SA ...it's almost (UI)...

...not, not, not slanted like as it, the front of his vehicle...

SA ...kinda like a forty-five degree angle, but...

Yeah, like, like, not far as like his vehicle would be facin', like the sidewalk slanted, it was just slanted just a tad in the, um, rear end.

SA Okay. Okay. So, he reaches out the window, the officer, I'm sorry, reaches out the window and fires how many rounds you think as he's runnin'?

Four.

SA Four rounds as he's runnin' and you think you saw them...

(UI) pow, he take off runnin'. Pow, pow, pow, pow. Yes four.

SA And you think that you saw those impact Mr. Brown in his back.

Yes.

SA Think they hit him in the back?

Yes.

SA Okay. High in the back? Low in the back?

I'd say about mid section.

SA Middle of the back. Okay.

'Cause , like,...

SA So, what happens next? Four rounds go off. What happens next with Mr. Brown? He just got hit how ever many times...

He, uh, so he, he got about fifteen feet as the fired, shots was fired. More shots were fired out the vehicle. I see about another twenty, twenty-five more feet, that's when I see Mr. Brown, like, I'm goin' off

my thoughts so how I saw it. I's thinkin' he ss-slowed up lookin' for his friend actually. Like, he slowed up and looked around and by then the officer was already approachin' him and that's when he was like this.

SA Okay, so after he, he gets shot about fifteen feet away from the car and he keeps runnin'? Or, he stops?

He slows up.

SA He slows up.

Wonderin' like...

SA But keeps goin'?

Yeah.

SA Okay, so he slows up after he gets shot about fifteen feet away from the car.

Uh huh.

SA But he keeps goin' the same direction east on Canfield. Right?

Yeah, same direction.

SA Okay. And, at about, what'd you say now we're like at thirty-five feet? Think you said another twenty...

Where he stops at?

SA Yeah.

I'd say about twenty-five, thirty feet. He's uh, he stops.

SA Okay, he stops there and what does he do when he stops? He stops...

He, I see him, like, jerk, move or nothing, threw him clean in the air.

SA Does he turn around first or did he put his hands up first?

He turns around first, do like this.

SA Okay, so he turns around with his hands down...

Um hum.

SA ...and then he puts his hands up in the air and again, I think we saw it before, about it looks like a foot, foot and a half-...

Yes.

SA ...-above your head-...

Yes.

SA ...-they're, they're pretty far up there.

Yes.

SA And wh-what's the, where are the officer at now? Is he in the car? Is he out of the car?

To approachin' as Mr. Brown has his hands in the air?

SA Yeah.

He's already out the vehicle.

SA So when does he get out of the car? The officer? At what point?

Uh, I say, he gets out after, uh, I say about five seconds after he let the four shots ring out his vehicle.

SA Okay...

He steps out...

SA ...so he shoots the four shots and then steps out of his vehicle?

...he steps out. Yes.

SA Okay. And, so at that point I guess he'd be, he'd still be...

He-...

SA ...running/moving away from the officer?

Yes.

SA Okay.

Okay. And that's where I seen the officer, like I say, he wasn't givin' him much of a run. He was like slow pacing. Like...

SA

Slow pursuit (UI)...

Yeah, slow pursuit.

SA

Okay.

Like, he didn't put too, like, too much speed in it. Like he, I guess he was like, knew he was hit. So he slowed up on him and gave him a little pursuit. Mr. Brown stops threw his hands in the air. The officer (UI) the officer approached him, I say, he took like another two, one two step, like I say, no more than two feet away from him. Pow, Pow. Two shots. Mr. Brown leaned over. Boom, hit his head. That's when he's like, I say, about four or five seconds after that then it's over. Pow, pow, pow, pow, pow.

SA

Okay, so we've got one shot in, in the car. We've got four shots as he's running away.

Um hum.

SA

We've got, how many shots when they're about a foot or two feet apart?

About two more.

SA

Two more shots face to face.

Face to face.

SA

And then we've got four or five more shots once he's on the ground?

Uh, I'd say about ff-four-ff, yeah about four or five more shots as he on the ground.

SA

Four. And this is, you think, into his back.

Yes.

SA

Okay, so he would have taken rounds in the back both as he's running away...

Yes.

SA

...and then once he's on to the ground.

Yes.

SA

At the very end.

Yes.

SA Okay. Um, wh-do you remember anything else, his, his partner that was with him, the other gentleman that was with him, I know you said he went and hid behind the car in between the two vehicles.

Yes.

SA You know where he went after that? Did he stay there? Did he move somewhere else?

Uh, actually, I had got so confused, I even lost track of somebody was even with him.

SA Copy. So you don't know where he ended up.

Naw.

SA Okay. Um.

'Cause I'm sure for a fact if the police officer would have realized he was right there, behind his vehicle, he probably would have shot him too.

SA Okay. And there were other, I think you said there was a vehicle-...

Right behind the post.

SA ...directly behind him. Was there somebody in that vehicle?

Yes, 'cause it was-...

SA This vehicle here.

...yeah 'cause it was like directly behind him.

SA Okay.

So it had to be somebody, you know, motor-drivin' it.

SA Okay. And were you drivin' by yourself that day? Was there anybody with you in your vehicle?

No.

SA No, you were by yourself. Okay. Do you know anyone else that may have either who was in this vehicle or anyone else that was up there that would have seen this as well?

No. 'Cause like I said, there wasn't too many people, like, for us out here on the streets. It was somebody in the vehicle, Mr. Brown and his friend. It was me and I know it was, uh, pickup, I remember seein' a white pickup truck behind me but I don't know, like, what it was doin' there or what was his business out there though.

SA But drivin' behind...

: Yes.

SA ...-you, not parked, but drivin'?

He was drivin' behind.

SA Okay. After wr-after these last four shots when Mr. Brown is laying on the ground...

I go, I drive passed...

SA (UI)

I drive passed and I see...

SA Did you, did you hear the officer say anything to you? Did you hear the officer say anything to Mr. Brown? Did you hear Mr. Brown say, uh, did you hear anything that...

: I actually asked him "why did you shoot him?" (UI) I was kinda, I said, I asked "why did you shoot him like that?" you know, he told me to keep goin'...

SA You asked the off-the officer this?

Yes.

SA : Okay. As you're driving passed?

: Drivin' passed and I, this Mr. Brown's body and, like I said, Mr. Brown was layin' up there, I had drive around and I asked him "why did you shoot him", he told me to keep goin'.

SA Okay.

So that's when I pulled into my apartment complex lot. And that's when everybody started gangin' up and arrivin'.

No, I stood, I, I was watchin' but I stood, uh, like a nice amount of distance away from the officer. 'Cause I didn't, you know, wanna get shot and killed either. So I, I'm sittin' out...

SA So, you're sayin' you went home then you came back?

No, uh, I pulled...

SA I'm sorry. I didn't understand you.

Yes, I pull, I pulled in my apar-apartment complex, I'm tryin't to see.

SA So this is this right here.

Okay. I think, I think that's mine. Yeah, this my apartment complex here.

SA Okay. So you pulled and parked in here.

Yes. I pulled, I parked, 'cause there wasn't no cars out here that day. So my car is slanted like that. I didn't actually park in between the yellow lines.

SA Okay.

So I'm parked right here like this and that's when I get out and I stand here. And watch....

SA And this is, again this just after...

...this is...

SA ...the incident.

...this is a, this is actually where they actually ended up at. Here.

SA Okay. So you think they were a little further east...

Yes. They ended up here.

SA ...-than your initial mark here.

Yes, they ended up here.

SA Oh, I'm sorry, this is where the vehicle wh-where....

Yeah the....

SA ...the officer vehicle was?

...this'll, this'll be me...

SA ...then Mr. Brown on the ground ended up here?

Yes.

SA That what you're sayin'?

That's where they ended up.

SA Okay.

This, I'm sorry if I did this to y'all map but...

SA That's okay.

Yeah, he ended up here. 'Cause I stood right here in my grass.

SA So why don't you write, car right here so we know that's where the car was. Just, just write car, c-a-r, car.

Car. Yeah this is (UI).

SA Okay.

And this, Imma make this, this is-...

SA So you think that this is where the car is at, not here?

Yes.

SA Okay, where it says car is where you think that actually where the car is at...

Yeah, this is where the police was at.

SA And then here kinda towards the-...

(UI)

SA ...-end of this first a-com, uh, the east side of this, uh, first apartment complex here would be where Mr. Brown's body ended up?

Yes.

SA Okay, can you just put Brown there? So we know what that means.

Yes, that's right. '...

(Knock at door)

...'Cause I'm sittin' here watchin'. That's right.

SA Okay.

Yes, cause, yeah this (UI)-...

SA And again are you sure this is where you were?

I'm not this...

SA Where you were?

This hasn't, this...

SA This is not where you were?

No.

SA Okay, so where were you when you watched all this happen?

Right here...

SA Before you went passed.

...this me. This me.

SA Oh, this is you.

Yes.

SA Okay.

This police car. Mr. Brown ended up right here after everything.

SA Okay, why don't you go ahead then and scratch this out.

Okay.

SA So know that's not you and then put your initials here.

I apologize for that.

SA That's okay. Go ahead and put your initials there we know that's you and your vehicle. Okay.

Yep.

SA Does that look accurate?

That's right.

SA From what you remember from that day?

That's accurate. That's accurate. That's accurate.

SA And have to talked to, uh, other than here, have you talked to anyone else about...

No sir.

SA ...what you'd seen that day?

No sir, 'cause like I said, my family actually didn't want me to get involved in it cause you know it's a big situation. And it straight took me a lot of sittin' and just thinkin' of what if it was me and my mom, you know, just wanted to know what happened. 'Cause his mom, actually I talked to her that same day, but I haven't talked to her ever since then. So like I had to actually push myself to actually even call

SA Right.

SA Now, what made you call

Uh, a family member.

SA A family member.

SA I mean why did you call here inste...as opposed to the FBI or the Highway Patrol or?

Uh, I ain't, I just know St. Louis County, dealin' with, and I looked it up.

SA Okay.

As me and my uncle, it was actually my uncle who gave me the number. We was sittin' talkin' he was like try this number.

SA Okay.

And that's when I had got a hold of .

SA Okay.

But that's accurate.

SA What did, uh, what did you say to Mr. Brown's mom that day? Do you remember?

'Cause, some people actually know that I was out there watchin' it. And I told her I saw it and she was like, if you can just tell me everything and don't leave nothin' out even if my son was wrong. Do not leave nothin' out and I told her okay. And she took my number and stuff down, but I haven't heard from nobody.

SA Okay, so you saw her that day at the scene afterwards...

Uh huh.

SA ...and you gave her your phone number?

Yes.

SA But she hasn't called you?

No..

SA Okay. So you didn't give her the story that day.

No.

SA How did you know that was his mom?

Um, somebody had pointed her out to me. Well, actually had her approach me that day...

SA Now someone else had...

...that it happened.

SA Misses...

At the, outside the apartment complex, had pointed her out to me and she approached me. Wh-pointed her to me and that's when she approached me.

SA Okay, so somebody told her you were a witness basically?

Yes.

SA Okay. I don't think I have any other questions unless you have some.

(UI)

SA Is there anything else, anything else you can think of? At all.

Uh, uh

SA Now, I mean, now it's the, now's the time to, 'cause like said
before, it's really important as you can tell...

Yes, I understand that.

SA This is a, kind of on a large scale.

Yes.

SA So it's really important that we get all the facts as we can...

Yes, I mean, if I can, I mean, all I can do is just rerun my story that I saw
over, over and over to you guys.

SA No, yeah, I, I think we've got a pretty good picture of what, of what you
saw that day.

Yes.

SA Just tryin' to see if there's anything that we missed.

No sir.

SA Okay.

I mean, I'm givin' it to you straight like I had it, right out my eyes. I, right
out my vision. I mean, if I, you know, stub up, slur up, I mean, ya know.

SA Right.

SA Are still stayin' with your girlfriend...

Yes.

SA ...-at the apartment?

Yes.

SA Okay.

SA And this number you gave us this, uh,
That's my number.

SA That's your cell phone?

Yes sir.

SA Okay.

SA So if we need to get a hold of you again for any follow up questions or...
That's my number.

SA ...-anything like that we can call that?

You can call my number.

SA Okay. Do you work?

Yes.

SA What, when, where to you work at?

I do, uh, plumbin'.

SA You do plumbing?

Yes.

SA Um, do you, so it's just various hours, or do you....
Yeah, just....

SA Have like a set hours?

...just call, you know,

S A...

On-call.

SA Okay. So there's...
It's family owned.

SA Do you know what year?

I think it's, uh, .

SA .

SA Okay.

Yes.

SA I think we've got everything we need. Uh, the time is now, uh, 3:32 p.m.
And I'll be stopping the recording.

August 16, 2014
11:34 a.m.
Special Agent (SA)
Special Agent (SA)

Federal Bureau of Investigation
St. Louis Division

SA = SA
SA = SA

Unknown Male = UM
Unintelligible = UI

Only thing...

: Okay

Only thing I could tell you is..

Okay

..what I saw, which wasn't a whole lot.

SA That's okay, every little b..

But what I saw, I can tell you that, um hmmm.

SA Okay

SA Today is the 16th of August...

The sixteenth.

SA : ...2014

Um hmmm.

SA : We are here with, with

SA We're at and uh, this is and and
what we're gonna do is...we're gonna talk to about, ah, what happened last
Saturday.

SA : Ah, just real fast, here, for the, for when we go back...can you spell your first
name for us?

SA My first name is spelled
And how do you spell your last name ?

SA Okay. Thank you.

SA Okay, and ah, you said you've lived her for
Going into the

SA So, you know the neighborhood pretty well, you know lots of folks around here.

No..I don't know hardly anybody but the you was talking to, kinda, these people
come and go so much...I know none of my neighbors. Matter of fact, my...apartment
next door is (UI) in front of me is So, I know
nobody here...but ...and I know enough...the that live in apartment cross,
ov..er ...down, so....

SA : Okay

SA

Uh hmm.

SA And, ah, so last Saturday, August 9...

Hmmm.

SA ...ah, around noon, where were you at that point?

I was going to the trash dumpster. I was going down my steps and...going in the back to
the trash dumpster. You wanna know what I saw or something?

SA Yes.

SA Just...walk us through.

Okay, I saw the police talking to these two boys. Now, when I saw the two boys they
were not in the middle of the street, they were kinda like, on the side of the street, and I
saw the police talking to him, them...what he said, I don't know. I didn't hear. Then I
saw him cut his car, his..cruiser, in front of the guys, you know...and then he kept on
talking. I kept walking, gon..gonna go on back to my trash dumpster. Then I heard a
shot, or two shots, then I looked back, I didn't see anybody laying in the street, I figured
maybe he...firing a...warning shot or something...you know let the boys...

SA When...and when you say "he" you mean the officer?

I mean the officer.

SA Okay.

I figured maybe he's...frightening them, gonna pop...fire a warning shot or something...so I kept heading back towards the dumpster. And then, as I was turning the corner I heard boom, boom, boom, boom, boom...like six, seven shots. And I ran and I ducked down between two cars in the parking lot because I didn't know if it was a gun battle or they come...they gonna come running down the street shooting at each other or not. So, I did duck behind two cars. And..at that time, people started coming out of their apartments, everybody heard all the gunfire and everything. And...I stayed back there a few minutes because I s...I don't know what was going on out there and people had start congregating in the parking lot and out there...so I didn't hear m..anything else and I did have food on the stove, that's why I was headed back to the trash dumpster. So, when I left the trash dumpster, they had already put the yellow tape...excuse me...around the parking lot and all across the street and everything and they wan't letting anybody up under so I told the officers that was there, I live in this building right here. I need to get up to my apartment. I had just left the trash dumpster,so

SA Okay.

So that's about what I know.

SA Well...an, and...

And, when I... was coming upstairs...

SA ..you know...

...I saw the body, in the middle of the street. Bleeding. Hm hmm.

SA Yeah. And you experienced ah, very difficult thing 'cause you heard...

Yeah.

SA ..and saw things that you..no one wants to see or hear.

No.

SA If we could start, kinda at the beginning, again.

Uh hmm.

SA Um, and we'll kinda go through it. Ah...you're on...is this the...considered the
?

This is the

SA Is this the

Yeah, 'cause the first floor is kinda like a basement apartment to me, but this is considered..

SA : Ah, yeah..you have to go some steps.

Yes. This is the floor.

SA And you're facing Canfield.

I'm facing Canfield.

SA Okay. And ah, so, you had ...I'm just gonna kinda summarize...you correct me if I'm wrong...

Yeah, yeaH. Okay, I will. Ah hah.

SA Okay, so you had some and you had some trash in your hands, both hands? ..or just one?

Just one. One bag of trash.

SA : Just one.

One bag of trash, ah hah.

SA Okay. And when you got to go to the dumpster do you have to go left or right?

Ah...I go 'cause it's back...it's...the trash dumpsters on the parking lot.

SA Away from the street....

Umm, in the middle in the parking lot, you know.

SA And that's away from the street?

It's away from the street, right. Um hmm.

SA : Okay. And...when is the first time you, you..okay, you saw two gentlemen, um, two, two on the street that weren't on the street, they weren't on the street but they were towards the sidewalk. Or.....towards...

To me? They were looking like they were closer to the side walk.

SA : Okay. And, and so you saw the officer and his cruiser ah, go towards them...
Angle his car in front of them, to not ah...block them.

SA Okay.
Um hmm.

SA Um, and um, where did you...when you saw that, where you on the floor... on the ground floor...
Yes...

SA : ..walking on the ground floor.
...I was on the sidewalk then. Ah hah.

SA Okay. And, um, and then you we...and you were walking towards...okay can you describe the two gentlemen for me? By chance.
One was tall, heavy set and the other was kinda thin...ah..

SA : African American?
Afr..both of them are African Americans, correct.

SA : Alright. And, any idea of ages? I mean, I know it's hard...
Oh yeah...who can tell the ages of these kids now...

SA : Okay. Do you, um...
...the boy that got killed he was a big guy, ya know...and his friend was a smaller skinnier guy. Now, I couldn't tell you their age 'cause most people can't even tell me my age, caus...

SA Yeah, because you aged well. 'Kay.
...telling age, yeah. Telling age nowadays is hard, difficult, you know, to tell.

SA : Ah hah.

SA : Was one, ah, how 'bout anything distinguishing in regards to hair?
One of 'em,

SA : Short hair...

..the little thin one he had like dreadlocks or something.

SA : Okay.

And the other one, he had a cap on, a red cap or something on.

SA : Okay. Okay. And did you...when you saw them did you see ah, from their back or from their front?

Well, they was headed this way.

SA Which way?

They was headed going...towards..the...from what I understand...I don't know...his grandmother lived in those ah...apartment complex behind here. Those townhouses the...

SA Well, which direction were they going?

SA (UI) right here.

They wan't headed towards West Florissant....they was headed...

SA Okay.

Ah...

SA Is that...?

I guess you would say East on... East on Canfield.

SA : East?

SA Okay.

Yeah. East on Canfield, um hmmm.

SA And, um, so they were towards the sidewalk area...

Ah hah.

SA ..and then the cruiser ahhhh, ah...angled towards them to cut them off, in front of them.

Ah hah.

SA Okay. And at that point, you went towards the ah, towards the left, towards the trash dumpster.

Towards the trash dumpster, right. Ah hah.

SA And what, what did you hear next? Or what did you see next?

I told you, I heard the two shots, a one...I thought it...two, b..maybe it'd been one and I kinda looked back a little...I didn't see nobody on the ground so I figured maybe they just gave a warning shot or something. So...I kept going. And then, as I was turning the corner there, going to the trash dumpster...that's when I heard all those shots and I ran....on the parking lot and crouched down between some cars.

SA : Next to the dumpster?

No, I hadn't made it all the way to the dumpster, then. Uh uh. No.

SA : Okay, and when you heard those first two, one or two shots in the beginning...

Uh hmmm.

SA ..and you looked back...

Uh hmmm.

SA ...and you didn't see anybody on the ground...

Uh uh

SA : ...you thought it might have been a warning shot.

Uh hmmm.

SA Did you still see the three people...the officer and the two...

I didn't. I didn't.

SA You didn't see....

I never saw the officer.

SA Okay.

Uh hmmm.

SA So, you don't know whether the officer was in or out of his car...

Uh uh. I sure don't.

SA Um, and the two individuals you saw earlier, the taller, heavier guy and the...

Right

SA : ...shorter... did you see them after you heard the shots? Or you didn't see them at all.

I don't think I saw them at all.

SA Okay.

I really don't think I did, no.

SA You sa...when you said you didn't see them on the ground...

Ah hah.

SA ...but you didn't see them.

I didn't see them.

SA Okay.

No, I didn't.

SA Okay, so then you still walked towards the dumpster...

I guess the, ah, the van kinda blocked them. So, I didn't see them.

SA A van or a police car?

What do you call them now...the, the tr...

SA Well you called it a cruiser.

What is it now?

SA Let me ask you this ma'am, was it ah...

It wasn't a regular car, you know. I guess...

SA Okay, was it like an SUV? Was it a van?

Yeah, something like that I guess what the...they put people in. Oh, what you call 'em?

SA Oh, like ah...

SA But you know what a Ford Crown Victoria looks like, it wasn't one of those?

It wasn't a car.

SA So it was kinda like an Explorer, like something bigger...

 Yes, yes...

SA ...but, your talking about those vans that you say they put people in. Old time it would have been a Paddy Wagon but it wasn't that big, but it wan't that big?

 Ah ah.

SA So, it's a little bit smaller.

 Ah hah.

SA Okay. So, yo..when you heard those one of two shots....

 Ah hah.

SA ...you went back, didn't see them on the ground, and kept walking toward the dumpster...

 I kept walking.

SA ...and at that point...

 Ah hah.

SA ...six shots, or so...

 Ah hah.

SA ...and you crouched between two cars....

 Ah hah.

SA ...didn't look back.

 No.

SA Didn't see...

 I was afraid! I didn't know...if it was a gun battle and they would come running through...shooting...I didn't want....to be in the line'd of it, so I crouched down besides some cars. My car and another car that was in the parking lot.

SA Okay.

 Uh hmm.

SA Um, and ah, from there you said you stayed down there for awhile. Right...

 A...a few minutes...

SA (UI)..right.

 ... and everybody start coming out of the apartments...and running to the front.

SA Okay.

 And they just asked me what's happening. I said "sounds like gun shot out there" and so those young peoples was running to the front. So, then I go on back and I empty my trash and then I come back around to go to my apartment. Uh hmmm.

SA And you said earlier that ah...

[pounding on door]

SA ...there was some yellow crime scene...or there's some tape or something...

 Is that at my door?

SA Might be. Pardon me. One second.

 Hmm.

SA Sure.

SA (to person(s) at door) (UI) you guys.

SA Sorry about that.

 Hmm.

SA Um, so you said earlier that when you were coming back, you saw...

 Ah hah.

SA ...yellow tape and they had to let you...

 Yeah, they was putting that, they was putting up the yellow tape then.

SA That quickly.

 Ummm. That quickly.

SA Right.

Yes.

SA

SA

And have you talked to anybody in law enforcement about this?

Nnn. One guy came up here. Ah...I believe he said he was a detective, 'cause he had on street clothes but he had a vest on that said police on it.

SA

Okay.

And I told him the same thing I'm telling you all.

SA

Okay.

Uh hmm.

SA

And, and, all we're doing is, is we're checking, 'cause...ideally...it happened exactly a week ago today,

Uh hmm. Uh hmmm.

SA

...this time or so, so we want to talk to people that, you know, if, if that's they're pattern of life, where they, they come around, um...

Uh hmm.

SA

...so we want to make sure that, um...so, you talked to them and we'll talk to them to at some point when we figure out who that other person was...

Okay.

SA

...who the other detectives where, ah, we want to make sure that we talk to people.

Ah hah.

SA

Certainly. Um, and when you came back up here, since that time, I mean, you've heard a lot of things...

Yes.

SA

...and you've seen a lot of things on tv...

Uh hmm. I seen a lot...action right in front of my building...

SA Yeah, and I, I...bless your...

 ...they in front of my building every day.

SA No, I know.

 Every day they have that little memorial...they're talking.....they're talking so I...been seeing this constantly every day, every day. The candle light vision, they had Sunday I believe there may have been a thousand people on this street.

SA No question.

 I stand up on my porch and look down, I don't go down there and get in the mix, I'm an person, I don't wanna...like I told the detective, I don't want to be in the middle of this. I says there's enough young people out there and they have cameras, they have cameras...

SA Right.

 Aha. L..the magic of ah, ah electronics these days...

SA Right.

 ..everybody was taking pictures. Tablets and ah, ah cameras... they was taking pictures.

SA Right.

 I was saying you probably can get more information from some of those young people down there having pictures. I don't have the camera or anything...

SA (UI)

 ..all I can tell you is the little bit I saw.

SA No, and, and, and we appreciate that very much. I would have asked you about...if you had a camera or anything like that. You didn't...you didn't have a camera to where you ...on the phone...

 I have one on the telephone, I don't even know how to use that.

S Well, that's just like I am. So...

 Hahah. You know, I am not good with that electronic stuff, I have no computer, I have no facebook, I have nothing like that. Only reason I have that is for emergency purpose, my kn.. say you drive...

SA Right.

... and have a flat tire, or something happen, you need a phone.

SA Now, you live here ?

I live here .

SA Okay. Um... but as you said...

I never had any worries living here. I never had anything happen to me.

SA Oh no, it's a nice area.

Uh hmm.

SA I mean, I...

It was a nice area. They're gonna tear it down.

SA Yeah. Well...

Ya know?

SA ..yeah, this is something that certainly happens once in every couple hundred years so I..

Yeah.

SA ...and we apologize for ah...talking about this but we want to make sure, is there anything else that we should know...that ah, that you don't, now...we'll recap and we'll kinda go through

Yeah.

SA ... exactly what happened when you saw...um, and again correct me or correct whenever we make something or we say something wrong. Now, getting back, a little back... you um, you're, you're ah ?

.

SA Okay. What's a good phone number for you? That phone number here. You don't have a phone number...or do you have a home phone too, well you do I guess...

I have a phone.

SA What's, what's your phone...you don't mind us...?

Now, my told me...to be sure and get you alls name and...

SA And we're gonna right everything down about us.

...there's (UI) or something. Yeah, she called me this morning.

SA Right. And, and you saw our credentials earlier.

Huh? I saw your credentials.

SA And we are gonna right down all our information for you and...

Okay. Because she told me, I guess she figure you only on your (UI)

SA ...so you can, point of contact, yes.

...if I need to follow up on something, you know, haha, I will.

SA So there's no question.

...but the guy who gave me the first card said he 'd be out some time next week to talk to me, or something.

SA Now, um, what is your name? Or, this, this,
Or is this your

Ah hah. Ah hah.

SA Okay.

SA Okay. Can we have name? Do you..can we have name in case we...it matters not to us...but if you'd like to give us name, in case wants to talk to us too.

You can have

SA Okay.

SA

That's right.

SA Okay.

SA Okay, and what's a good number to get a hold of at?

SA Okay, and what

SA It's a tough economy, that's for sure.
Uh hmmm. Uh hmmm.

SA And what is your cellphone number...for emergencies?
Uh...

SA And um, so as I said...you're um...
Um hmmm.

SA ...and you were cooking some food that morning...
Um hmmm.

SA ..uh, and you took down a bag of trash to the trash can...
Uh hmmm.

SA ... so you're on the walking towards the dumpster...
Uh hmmm.

SA ..and ah...you saw two African American males, um, [pounding]...
Uh hmmm.

SA ...um, one bigger, one smaller, one with dread locks [pounding continues], one ah, one heavier one...one second [leaves interview]

One thin and one heavy.
You copy that?

SA What?

They want us to return the vehicle, they're going to do a rally here, so...(UI) she saw...

SA Alright brother. (UI) Just tell him that...

(UI)

SA We'll be here.

Alright.

[closes door]

SA Sorry about that.

Umm, no problem.

SA Um, so there was an African American who was bigger, uh, and the smaller African American had dreadlocks.

Um hmm.

SA Um, and ah, you saw a police cruiser, you called it a cruiser...

Um hmm. That's the one I'm trying to think of...

SA It's probably a situation where it's a little big bigger than a car, bigger than your car.

Yeah. Yeah, cruisers bigger than a car. Haha.

SA And so, he...the officer pulled in, in front of them...

Ah hah.

SA ...at an angle, to cut them off.

Yes, yes.

SA You, when you saw them...

Ah hah.

SA ..um, they were towards the sidewalk, they weren't in the middle of the street.

When I saw them...they were towards the sidewalk.

SA Right. And, ah, you didn't hear anything...

Never did hear anything.

SA ...ah, in regards to voices...

I never did hear anything. And I...

SA From anyone?

(UI) saying something to them, but I don't know what he was saying to them.

SA You kne..it appeared to be, er from what you saw it appeared to be a conversation between or words were exchanged?

Well, wh..I only heard the police saying something but what he said I don't know.

SA Okay, but you did hear the police officer say something?

Ah hah, ah hah.

SA Okay, but you don't know what it was.

What it was, I don't know.

SA So, you're walking towards the dumpster...

Uh hmm.

SA ...and you hear one, or two, shots...

I say two but I....it mighta been one. I'm not sure.

SA Okay and that's fine.

Ah hah.

SA But you do remember hearing a shot, at least.

Yes. Yes.

SA Okay. Um, so you look back..

I kinda looked back.

SA ..you didn't, you didn't see anything...

I didn't see anything.

SA You didn't see anyone on the ground.

Right.

SA But you also didn't see the two African American males.

Ah hah.

SA And you didn't see the officer.

Uh uh.

SA Okay. So, you still...

'cause I only looked back briefly.

SA Right. Okay. And then you just kept...walking to the dumpster.

I didn't just stop and turn and then start staring that way, I just looked back briefly, ya know...

SA And...so, you kept walking towards the dumpster...

Right.

SA And at that point, you heard six shots or so...

Yeah.

SA In succession, really quickly, after each other...

Six, seven shots or so, yeah.

SA Okay. And, ah, so you ducked down between your car and another car...

I ran and ducked down between two cars, right.

SA Okay. And um, you didn't look back to where the shots came from.

Oh no! 'Cause, I was head...I was... going to the dumpster..

SA Right.

So, the shots was all in the street, you know.

SA Right.

Um hmm.

SA And so you didn't, ah, you didn't look out or anything, you just, you stayed down there for a...for a little bit...

And peoples as just running out of there apartments and say somebody's shooting, then sound like... I said it sounds like gun fire, you know, all these kids, calling 'em kids...young people...

SA Oh right, right.

...was coming out of their apartment. So, I stayed there for a few minutes and then went and too...an emptied my trash and then I s...started back that way because everybody started congregating real fast, like I

SA Right.

And like I said, they was putting the tape up...

SA Officers were putting the yellow tape up.

Putting the tape up.

SA Okay. And you explained to them,

Uh hmm.

SA

Uh hmm.

SA

Uh hmm.

SA

Uh hmm.

SA Do you have any idea what time it was? That you actually went

You know I don't, because I didn't check the time. You know, I just had my television going, and ah, I had some

SA Was that breakfast or lunch?

No, no, no.

SA Do...do you remember what was on tv?

SA What you were watching?

What was I watching? Ummm hah, no, I don't.

SA That's fine.

SA Okay. So, then you came back up here and since that time, you've, again, you've talked to some people, your neighbors and some people that you've seen but you have not ah, been down, I mean it's right below your window but, you haven't participated in any of the...I mean...you have because you've been up here but you haven't gone down and participated in the vigils or any...

No, 'cause I can see everything from my I can see
everything from my

SA And you've got no relatives or family living in this complex...

No, I don't.

SA Um, you know a few people here, you know

SA Right.

SA Right, very good. Um, and ah, I don't know if there is anything else that we need.

SA I, I can't think of anything off the top of my head. Um, we've got your contact numbers, okay, in case we need to follow up, 'cause like we said we..we want to make sure that everything is done right,

Okay

SA ... ah, in case there's something that comes along down the line.

Okay.

SA We really do truly appreciate um, you taking the time to talk with and I, um...and
ah...we, we...

SA What we'll do, I'm sorry what we'll do is we'll put both our names and phone
numbers on the back of here and you or your can call us at anytime...You don't
mind us calling you again correct?

Yeah. You're FBI, I don't mind.

SA Well, I appreciate that very much.

SA Okay.

Long as it's...as you do a thorough investigation, I'm happy to see you all here.

SA And, and we appreciate that.
Whatever way it come out, I think the pe, peop..hah...I'm getting tired, tired....

SA I'm sorry.

...I think the people should know the truth.

S Okay.

I think that what ever was done should come out, and maybe all of this confusion will go away...because it's been traumatic just living in the midst of this. I've had friends and family trying to get me to leave...

SA Right.

Other than being in the middle of this. But this is my home, I been here
nobody's bothered me. Nobody's bothered me here and they...have been
conducting themselves so well with these things they was doing here except for all that
looting. 'Cause I was proud of the way they was handling things, they talking, they
trying to give these young people some positive outlooks on killing each other and the
police killing you ...you know, and everything....and telling 'em about education, they
need to get their education...I sit here and I look, or I sit there on those steps and I look,
you know...

SA Okay.

I am not in the mix of everything.

SA Well...and, and I was born and raised in Florissant and ah, we moved out in the late
early and Ferguson has always had a great reputation.

Yes, it has.

SA And all your family...

That's why I been here

SA No.

SA ...and friends are saying you need to move.

Yeah.

SA This is home for you. Your not moving, this is an isolated thing. It's, it's a tragedy, there's no question about it, um,...and it's hard...

Hmmm.

SA But, they understand your personality, and I understand your personality a little bit now that...you're just living.

Yeah.

SA And your not in amongst the people, I'd say up the street with that craziness happening up there, that's not right but that's some expression that these folks have decided that they need to do.

Hmmm.

SA And like I say if you or your niece wants to talk to us... someone else will talk to you...

Okay.

SA ..cause what I...what'd I like, we won't do it now

Uh hmm.

SA ...'cause it's raining out there and there's a lot of people out there, and it's none of their business.

Right.

SA What we'll probably do in the next week, with your permission...

Hmm.

SA ...is come out and talk to you again...

Okay.

SA ...myself or someone else will, um, and have you kinda walk us through it...to show us where your car was parked, where you saw things...

Oh, my car...

SA ...as opposed to...'cause we have a great idea what happened 'cause we've gone over it three times but for you to show us physically maybe, potentially, that might help us out to see where you were at vantage points and you may recall something if you did that again...

I wish I could.

SA No...when you actually walk through it again.

Ah hah.

SA And not something you want to do but it's something that might help us out to have us an idea as to what you saw, because then you think ooh something else. We won't do that now because for one they're having a rally out there at 1230...

It's too bad out there now.

SA It's no one's concern or business.

Uh hmmm.

SA And it's raining. So, with your permission, we can set that up and probably walk through that again.

Uh hmm.

SA Um, have you got questions for us at all, by chance,

Have I any questions for you two?

SA Yes. Yeah.

No, I have told you everything I know so I have no questions other than the questions you asked me, I tried to respond as well as I remember and to the best of my ability.

SA Oh, no. No, you've done tremendous. I mean, I...have ah, I have ah...it's tough...because it's from one of those lifetime memories 'cause you've never experienced that.

Uh hmm.

SA Thank goodness.

Uh hmm.

SA Um, so it's something that's to where you..it's indelible in your mind.

Oh yeah.

SA But, then again, you don't want to remember it because it's not a pleasant thing.

Uh hmm.

SA Um, I'm going to right our information on the back of here...

I'd appreciate it.

SA ..the only other thing is I'd to maybe get your date of birth if you don't mind.

SA Okay, so if you're older than

My date of birth, I don't mind telling people...

SA Right.

My date of birth is

S Okay, well I was born in so we're good.

Uh hah.

SA what year?

SA Okay, okay. Well, we'll wish you the best here. I'm gonna put...this Agent here is from out of town...

I appreciate it. Oh, okay.

SA He's a couple hours out. So, I'm gonna give you...

(UI)

SA ...my information, I'm in, I'm in...town...I'm gonna give you my information, I'll put his name there...

What'd you lose babe?

SA My phone.

I thought I saw it over here. I thought you picked it up. No, no, no not there. On the sofa. Where you...

SA : Is it...it's not in your pocket?

SA Nooo.

SA : I mean in your coat pocket.

I thought you picked it up.

It's 11:58 and we'll be concluding.

[shuffling]

August 26, 2014
9:32 a.m.

SA = SA
SA = SA

Unintelligible = UI

SA A, today's date is August 26, 2014. The time is approximately 9:32 a.m. This is Special Agent with the FBI along with Special Agent with the FBI. A, we're here to interview A, we are currently at Ferguson, Missouri. This is in regards to an investigation regarding the civil rights investigation (UI) the death of Michael Brown. A, do you understand that you are being recorded right now?

Yes I do.

SA And you...under...you do that...you're doin' that voluntarily?

Okay.

SA Okay, Ms. what I'm gonna do is-is we're gonna talk about the-the events of-of that day, okay.

Okay.

SA Um, first of all where were you at that day?

I was, first I was on the, I was across the way on this porch on the second level.

SA Across the way on, in this building still?

Yeah.

SA Can you, from here, let-let-let's look at here, so, I believe we're in this building right here, is that correct?

Yeah, uh huh.

SA Can you kinda show me at like star it where...circle the building and...

Yes.

SA

...and then star where you were at.

And, I was like across the way from my building. But it's on the same building but I was like on-on this side of the building.

SA

Okay, so you were up-up in here.

Right. Okay, like when you all came up that walkway and you can see the sidewalk lead to each side of the building, I was on that side at that building on the second floor when I-when I heard the first shot.

SA

Okay, so you were in this building though?

Right.

SA

At the time.

I was outside on the porch.

SA

Outside. On this side of the building or this side of the building?

That side of the building.

SA

Right here?

Right.

SA

Right where my finger is?

Uh huh.

SA

That'd be a west side...the side facing Copper Creek is the (UI)?

Right, uh huh.

SA

Okay.

And um, when I heard the first shot, that's when I went down to the lot.

SA

What lot. Show me where you went.

Well, I can't see the writing, put my eyes back on.

SA

Put this a little closer so we can hear ya.

I came to, from here and I ran down to the lot 'cause I heard the shot...at the tip of the lot.

SA Okay. After-after you heard one shot?

No, I heard two.

SA You heard two shots?

I heard two shots.

SA Okay.

And I, that's when I ran down to the lot to see what was goin' on.

SA Okay.

And um, Michael Brown's on his knees with his hands up and he was being shot up. And then he-he fell. The officer got out of his truck, SUV rather and that's when he stood over the boy and just emptied his clip.

SA Okay.

And, I say I didn't know officer was authorized to carry full automatics. I thought they had to carry (UI).

SA But it's-it's...

The way he popped that off, it sounded like a full..

SA It's not a full automatic.

I thought the way it was popping' off it sounded like a full.

SA No, it's-it's not. No, it's not.

Okay. I understand.

SA Um, okay, so you said that you saw-you saw Michael down on his knees. Was he facing the police officer?

Yes, he was.

SA Where was the police officer at the time?

The police officer was coming toward him. He was on his knees.

SA So the police, so Michael Brown was on his knees.

And he had his hands up. He had his hands up.

SA And the police officer's walkin' toward him?

Yes, and he had his hands up and the police was shootin' him as he was comin' toward him.

SA But he was on his knees?

(UI) Michael was on his knees with his hands up. (UI)

SA Okay, okay, and then did Michael Brown fall?

And yeah, he eventually fell and fell face down and that's when...

SA He fell face down?

...that's when the policeman came over and just finished him up.

SA So-so when he came over and you said he finished him up, where was he shootin' him?

They shot him in his head and that was the last bullet that went off was in his head.

SA Okay, but, how could he have shot him there if he's face down?

No, I'm talkin' about while he was up he was shootin' 'em.

SA Okay, then you said he fell down...

But, then he fell down and he-he-he and that's when he shot him in the head.

SA He got up over him...

And shot him in the head.

SA Shot him in the head. In the back of the head?

No.

SA Then-then explain to me how he could've shot 'em in-in the front of the head if not...

This is what-this is what I'm tryin' to tell you. I-I'm gonna show you that, I can demonstrate it better than I could tell you.

SA

Okay.

Okay. Now...

SA

So you're-you're on your knees...

(UI) was on his knees.

SA

A, I'm a police officer.

I know. He's on his knees like this and he had his hands up. I couldn't make out what he was sayin'. But, he was sayin' somethin', Michael was to the police officer. The police sayin' (UI) 'cause I'm slightly deaf in one year. So, I couldn't make out what they was sayin', so...while the police (UI) he just shootin'-shootin'-shootin' right there and the bullet hit him right here. And, that's when he was goin' down and the police stand there and shot him again in his head.

SA

So he was-he was...how many shots you think he took in the head?

I don't know.

SA

How many shots did you hear total?

I got a total of nine.

SA

You heard a total of nine shots.

Yeah.

SA

Okay, um, but you said, did he shoot him after he fell?

Yep. He-he was goin' down that when he was shootin' he-he's like no, you ain't gonna plea me down but you almost down.

SA

Yeah.

And, that's when the bullet hit him in the head.

SA

Okay.

And he went on down.

SA

And then-then did the police officer stop shooting?

He didn't have no more rounds. The gun just stopped. Or, the gun said "click click."

SA Okay. Um, you understand that you-you're not allowed to lie to a federal officer?

Yes, I know.

SA You know it's a crime?

A, who you tellin'? I know that.

SA It's-it's a federal statute.

Yes it is.

SA (UI)

I-I already know.

SA Okay. Um, so you understand that if you lie to us and we prove it, that
you could...

I already know all of that. And, that's one thing I don't do. Everybody tell you, I do not got no time to lie and I ain't gonna lie to you. If I'm gonna lie, I'm keepin' my mouth closed.

SA Okay.

But I'm just tellin' you what I saw. And then a, I ran in the house and I-I got all my (UI) 'cause I-I've been vomiting. Then I-I got myself back together. I went back out and he was just laying there. Just blood just running everywhere.

SA O-okay

And, a, they say on the radio move (UI) everybody had to move back. So, everybody moved back so they can get the body out of the street but the boy lay there for four hours uncovered. And then they finally covered him up and he laid there another hour and thirty minutes covered up.

SA So, when you first went out there, when you first saw, after you heard the first shot, or two shots you said, you didn't, the first time you saw Michael Brown he was on his knees?

Yes, that's the first time I saw him. He was on his knees.

SA Um, and you said he shot him up here in the head. And he shot him...so the police officer was standing up?

Yeah, he was.

SA While Michael Brown was on his knees?

Uh huh. (UI)

SA Um, I think we told once before that we-we know, this isn't the first interview. This isn't the first a, thing we've done in the investigation.

I already know about you all (UI) 'cause my uncle is a FBI, that's why I know about you all procedures...

SA Your uncle's FBI?

...and (UI) yes.

SA Who's your uncle?

I can't tell you that.

SA Well why can't you tell me that?

'Cause I can't.

SA If he's an FBI Agent, it shouldn't be a secret.

No, I can't tell you all that.

SA Where's he...where...what office is he in?

Washington, D.C. I can tell you that.

SA Okay, your uncle is-is an FBI Agent. You know, what-what area does he work, do you know?

I just know he live in Washington, D.C. (UI)

SA Is he an Agent?

Yes he is.

SA He's an Agent. Okay. Well, I bet if you uncle is sittin' to you he wouldn't-he wouldn't be add...buying your story either. 'cause I'm not.

You don't have buy my story...

SA No, I'm-I'm not...what I want...

...matter of fact you...

SA

...you...

...what you all can do is erase this.

SA

No, we're not erasing anything.

But, I am.

SA

Please put the recorder down.

Nope.

SA

please put the...

August 26, 2014
9:46 a.m.

SA = SA
SA = SA

Unintelligible = UI

SA Alright, today's date, again is, a, August 26, 2014. Again, this is Special Agent of the FBI along with Special Agent of the FBI. The time is now 9:46 a.m. As recorded was previously turned off by has again agreed to talk to us and have this recorded. Is that correct ?

Yes, I cut it off because my first statement was not completely true and it-and now I'm scared right this moment but I'm calmin' down so I'm gonna record the true statement this time. The first statement was partly true. What I heard was a total of nine shots. What I have saw was the boy was on his knees and I saw the back of him, not the front of him. I saw the officer walkin' down toward Michael Brown and somebody tapped me on my shoulder, I turned my head and by the time I turned back the boy was fallin' to the ground and the police was standing over him and I heard "click click" and that was it and that's the truth.

SA That's still not...

That's the truth.

SA ...you didn't-you didn't change your-you didn't change anything right there

I say I did.

SA

That's the...that's what I saw. He said "click...the gun click click" that's it.

SA So, did Michael Brown have his hands in the air?

He-he was on knees with his hands up like this. And, I only saw the back of him. I didn't see the front of him. I didn't see no nose or nothin' because I don't know where the wounds was at and I was at the tip of the lot and the boy was on the ground on his knees with his hands up. And, that's the honest God truth. And, the police walked toward him and he...Michael was fallin'...he fell and the officer said "click click" with the gun. That's all I saw and that's what I heard and I'll put my life on that. I am not lying. But, what happened between the time he left on West Florissant until that point there I was not a witness to that 'cause I don't know what happened.

SA

You don't think, that's what we're asking from you.

And now, a as far as the officer, a, he had, a, this part of his right side of his race was like red. I ain't gonna say it wasn't...ya know, because I-it when it hot outside well ya know it ain't where you get red nothin', it was just like a bruise. I'll put it that way on the side of his face. I did see that.

SA

The officer had a bruise on the side of his face.

That's what I saw. Now, I don't know it's because he-he was angry or or what, ya know, 'cause somethin'...I-I-I-I turn red when I get angry too.

SA

Did you see a struggle, did you see a struggle between Michael and the police officer?

No, I saw no struggle at all. I ain't gonna say that I did, 'cause I'd be lyin'. I didn't see no struggle period. I'm (UI) the truth.

SA

Did you see Michael Brown comin' at-toward him?

I didn't see that neither. Like I said, the only part I saw the boy was on his knees and he had his hands up and I saw the back of him and the police walking toward him and the gun said "click click." That's all I saw. As far as the police standing over him...

SA

Was Michael Brown facing toward the police officer or facing away from the police officer?

Yes, toward the police officer. He looking right at the police officer with his hand up on his knees. I did see that.

SA

He was not on his feet?

No, ma'am, I mean no sir. He was not on his feet.

SA

Okay.

He was not on his feet at all. When I saw him he was not on his feet. Michael was on his knees.

SA

There's nothin' else you wanna tell us now? Ya know, if you...

I'm telling you all, look I'm telling you everything that I can remember.

SA

And-and you don't wanna change that story at all?

No, but if I remember anything else, I'll let you know 'cause I do have slightly memory relapse and if you call my doctor he would tell you that. So, if anything fresh come, ya know some more memory come to me, I will notify. I got your number on speed dial so I will notify one of you all or both of you all. I'll let you know if anything else comes to me. 'Cause' I'm only telling you the truth but I saw that boy was on his knees. He had his hands up, it was up like this 'cause his elbow was bent when I saw him up on his knees like this and he was facing the officer.

SA

And just for the recording your hands are just slightly above you head.

Yeah, my hands is...right, hmm, above, slightly above my head and he's on his knees like that. It went up like this. It was like this. That's the way his arms was.

SA

And do you...

That's the way I saw it.

SA

Do you know Michael Brown personally?

No, I don't know him personally. But, I remember when he used to come and visit his momma in Northwinds when I thought that he got a granny who stay in Northwinds so I only know him by if I'm comin' up the street, he comin' down. And, we'll speak to each other. We'll-st-we'll stand there for a minute and talk about God. We talk about his future. He said I just graduated from high school. I'm gonna go to college. I'm gonna do some, ya know, cool stuff. I said that's good, he said yep. The senior citizens that own homes ya know that can't really afford ya know, to pay big bucks, I can help them out, ya know. I said that's good Michael. You keep that-doin' that, ya know, he said everything that I used to do, I'm not gonna do it anymore 'cause I'd like to better my life is what he told me.

SA

Okay.

And I was very proud of him.

SA

Where's-where's do you know what he meant by everything he used to do, what that means?

I did not question that because I'm the type I don't try to pry in people business. Ya know, whatever you tell me, I'm gonna believe what you tell me till you tell me something different or show me something different. And like if I've been like sick or I'm not feeling good, somebody been upsettin' me or somethin' he'll lift my spirits where I can lay up and smile, ya know. And he did quite a few people in the neighborhood like that, that's why so many people was angry. It's not so much that he was murdered, it was that he, ya know, everybody have a good side and a bad. But, I have a good side; bad side (UI). But, he make you feel love in the air. That's the way Michael was.

SA

And, did you know the police officer that was involved in the shooting?

All I know is that I just see him drive around the neighborhood and stuff but he did stop me once and I had to pee and he whipped in front of me 'cause I normally take my walks around up to-to West Florissant and Canfield and I turn back around and I jog back, but I run if I got to pee. So, I was running back down so I had to hurry up and get to the toilet or pee on myself. Last time I pee'd on myself I was two. And, he, a, asked me to stop but I couldn't stop 'cause I'm tryin' not to pee on myself. I know I was not obeying the law 'cause when an officer tell you to stop, you suppose to stop. But, I wouldn't stop. I just kept on runnin'. So he whipped the car in front of me and that's when I ran into his car and I hurt my knees. That's why I was running because I said I'd probably be runnin' from you minutes I have to go pee. He said "you getting smart." I said "no, I'm not getting' smart" and I'm holdin' my tail then and just rockin' and tryin' not to pee on myself. And I said "officer, can I get passed? I got to go to the bathroom"? He said "you sure you're not getting' smart with me"? I said "I'm not getting' smart with you." I said "I just have to pee." I said "unless you want me to pull my pants down and moon ya and go to jail for moonin' you for pissing on public property, I said then let's that be. I says I have to go and I keep on rockin'. Like I'm rockin', like I'm showin' ya I'm rockin'. Then he said okay. He knew I wasn't playin' or nothin' that I really had to go to the bathroom so he moved his vehicle back where I can go on down the street, but I winded up peeing on myself anyway because I couldn't hold it 'cause my legs was hurtin'. And, that's the only time that I had anything to do with him period. Then when I saw him the next following week, he waved; I waved and went on about my business. I don't hold grudges toward nobody. And, I learned how to forgive and forget. 'Cause if I forgive you, I'll forget whatever you did.

SA Okay.

But, um, for as why me knowin' that he just straight-up just shoot a person and all that stuff, no knowledge of that from me at all.

SA Okay. Do you have anything else?

SA A, if you could go ahead and initial, put your initials and d-date on here so we know this is the map that-that you a, wrote on. Today's date's August 26th. And I just wanna make sure I understand that this a, this large asterisk mark here is where-that's where you went to and watched the shooting. You started off in building number

Right. (UI) Right.

SA ...and then you moved down the parking lot towards Canfield Road...

Uh huh.

SA ...and you stopped here where this little, a, star is on the map, between
And, that's where you saw the shooting from?

No, I was really at this tip so I couldn't really see the thing so (UI) right here.

SA Oh, so you moved all the way down to basically Copper Creek and Canfield Road?

I was at the tip.

SA Right, 'cause I was right here when I heard the shots and I came down...

SA Yeah, we're still good.

...and that's when I saw him on his knees with his hands up. I don't...and I was right here. But, I was right here when I heard the shots 'cause I ran from the (UI) and I stopped 'cause one of my neighbors was with me...the one that you all interviewed, a, that stays on the second floor in Apartment A, B Apartment C, I think or Apartment D one of them. He was there with me standing on this porch. That's when I left this porch and went down there.

SA And, what's his name?

somethin'. A guy already interviewed him already.

SA He said he's been interviewed?

That's what he told me. He said he's been inter...he said the FBI keep on looking for you. I said, well, ain't nobody calling me from the FBI and how you know it's the FBI? I say so, I said that's okay. I'll find out. Let me call them to be for sure they looking for me. And then when I finally got a chance to talk to you, you let me know you was looking for me.

SA

Right.

'Cause I saw you was with one of you'all 's with a female Ag-Agent...two Agents. One was a female Agent and the other one was a male and they was soakin' wet. I was pullin' up in a black truck.

SA

Yeah, we had a lot of Agents out here...

Right. And they were soakin' wet and I was tryin', I was just gonna stop 'em but I said, no, they already soakin' wet so I'm gonna let them try to get out of the rain. And then I was receiving calls but it had no number. But, when I saw U. S. Government on there I said okay, that's the FBI and that's when I tried to get back in contact with you. They tryin' to- they tryin to...but I did tell the truth the second time. The other time I exaggerated a little bit.

SA

Okay.

So, (UI) know that.

SA

Okay.

SA

So, what's your uncle's name?

Who?

SA

What's your uncle's name?

I can't tell you that. That's like I ain't gonna tell nobody your name.

SA

Well, but if you tell me your uncle's name I could talk to him.

For what, so you can get me in trouble?

SA

We're not gonna get you in trouble.

Yeah, you will get me in trouble.

SA

Any other questions?

SA

No, I'm good.

You would get me in trouble (UI). You would get me in trouble for real, 'cause see that's my...

SA No, the-the only...

...'cause he's my son's favorite uncle and they talks all the time and my uncle don't lie about nothing. And if you (UI).

SA Well then why would your son tell you not to talk to us?

'cause for one he says that I'm, okay like I said before, I wasn't lyin'. I was a mother and father to all four of my children.

SA I believe that.

And, he said that's all he have, is me. And, he don't wanna lose me.

SA Have you talked to your uncle about this situation?

Nope. God (UI) that I talk to there.

SA Well, you need to...you need to think about what you told us, okay.

And, I told you, if I remember anything else...

SA Yeah, you need to think about it.

...then I-I will tell you,

SA You need to think about...

...because...

SA ...exactly what you saw, okay.

I'm tellin' you, they got-they got in a hurry, then okay, I can call you and-and tell you what, somethin' that's come to mind.

SA No, we-we-we're not in a hurry, we want this...

Okay, well, okay but-but that means. Let's have some quietness so I can think, okay. But, I'm tellin' you the part that I did see that boy was on his knees and his head was up like this. It wasn't all the way up like that, when I seen it it was up like that. His hands was like this when I saw him. And the po...

SA And again you're showin' your hands about a little bit above your head.

Right, just like this. Right like this. He was on his knees. I did see that. I saw the back of him not the front. And the police officer was walking towards him. I did see that.

SA Did you ever see Michael Brown advance towards the police officer?

I didn't see none of that.

SA Walk, crawl, run?

I didn't see none of that. No. I told you-I told you...

SA Are you saying he was on his knees for a while or did-was he-did he hit knees as he was falling down?

Like I told you by the time that I made it down there, he was already on his knees with his hands up. That's all. And then...

SA And this, and you're moving...

And then somebody touched me, (UI) that's touched by my shoulder and I turned my head. By the time I got through talkin' to him and turned back around, Michael was face down on the ground. But I did hear a "click click." I did hear that. There wasn't no bullets or nothin'. No-no fire...no-no bullets come out the gun. You know how a gun empty and you hear "click click"?

SA Well, it-it a gun, once it locks back, it-it would-it would not click.

I heard "click click." Now, it could've been somebody else clickin' their's, but heard a "click click" 'cause people were shootin' too. It-it was just chaos over here.

SA So, there were other people shootin' at the same time?

Like I said. I heard "click click" and then it, there was other people shootin' around here I ain't gonna lie and say there wasn't. Yes there was. We got shootin' around here every day. It's like music to the ears.

SA Okay, so, we've had other people tell us the same thing. There's, it's not uncommon to hear gunfire in this neighborhood.

Right, that is true.

SA But, did you hear other gunshots at the exact same time as this incident?

I know I heard a gun...I heard a...total of nine shots goin' off. I can't tell you who pistol it was or nothin'. The only thing I saw that boy was on his knees with his hands up like this.

SA So-so you heard the gunshots. You didn't see the gunshots? Am I understanding correctly?

No, I-I wasn't tryin' to get to close. 'cause bullets don't have no name.

SA So, by the time you got there...

Okay, I got enough bullet holes in body not to be stupid and go out there.

SA By the time you got to where you could see...

What?

SA ...what Michael Brown was doin', the gunshots were all done?

Right. All of 'em was all gone. He was just on his knee and his hands was up and then that person touched me and I went to say somethin' to them and talkin' to them, by the time I turned my head back he was already layin' stretched out on the ground.

SA So, are you sayin' that-that are you sayin' that all of the nine shots you heard were between the time you turned your head and you turned back?

No, I was not...

SA Then how did you, so you didn't...

...no I'm sayin' I was hearin' the nine shots as I was runnin' down the lot and then when I made it to the lot, he was on his knees with his hands up like this then I just saw the back of him.

SA And, there was no more shots?

No more shots period.

SA So, you just heard shots when you saw the tail end of basically him falling to the ground?

Right.

SA Okay.

That's like sayin' the person touched me on my shoulder and I turned and I was talkin' to...by the time I turned my head back he was already like this stretched out on the ground.

SA So, you just caught the real and very-very tail end of it?

That's what I said. I know a little.

SA Right.

And, that's the honest to God truth. You can take it and don't take it...believe it or don't believe it.

SA So, you never saw them struggle at the car or any...

I didn't see none of that.

SA ...interaction in the car?

I didn't see none of that.

SA But, you did see a mark or what you referred to as a bruise on the side of the policeman's face?

There could have been one. There could have been just because he was scuffling or what, I don't know. I didn't see none of that. I ain't gonna lie and say I saw them tusslin' and all that.

SA No, but you said you saw a mark on the side of his face. You said you referred to it as a bruise.

I said it could be a bruise.

SA Okay.

But um, then they scooped the co...took the...got the officer and scooped him away. They moved so fast with him and I understand that 'cause when there's a-a hiding a situation you got to move people out the way so there won't be no more tragedy. And another tragedy happen around here that I-I ain't never saw nothin' like this before and I've been on this earth years and I ain't never saw none of this before and I saw other people taking each other, heads getting shot off, we were just ...(UI) ya know, I saw that when I was comin' up, ya know and when I saw the boy die, it just bring all bad memories and that's why I really didn't wanna talk to nobody 'cause I was tryin' to compress all of this again. That's why I-I don't wanna cry but, like my Godson got shot up on Goodfellow and West Florissant, by a officer. Oh Lord.

SA Your Godson-your Godson was shot by the police?

Yep.

SA What department was it?

Jennings.

SA Jennings Police Department. When was that?

That was three years ago.

SA Three years.

I'm just tired of the killing. I really am just tired of the killing. I just want everybody to get along. And, like I try to talk to these people in the neighborhood. I see some good cops out here but you all wanna kill the good cops and there some corrupt cops out here but you never know who they are. Let the law handle their own people. Since when you need to call the FBI internal affairs when you have any problem with police officers. 'Cause they the ones always make sure that if anything's corrupt they gonna clinked up 'cause it give them a bad name 'cause there are good cops out there. I'm just sayin' that because you got cops in your families that, I said no, I'm not sayin' it 'cause I got cops in my family. I had a cop (UI) my uncle that died. And, he was the crookedest, dirty, nasty cop you can ever meet. But, they wouldn't believe a 70 year old child. So, but he winded up goin' to his grave. He got killed and it wasn't in the line of duty and I didn't feel no remorse. I didn't cry or nothin' 'cause I think he earned what he got. I should not feel that way and I still feel that way and I shouldn't but I do. Because, he was not right. He was breaking stores and robbing and having them thinkin' that people in the neighborhood did it and it'd be him, beatin' up on folks for no reason, ya know. Accepting money from drug dealers. He was just doin' a lot of crooked stuff and like I told you, you cannot judge one cop or even three or four cops. You cannot judge the others 'cause of what somebody else do.

SA Right.

We all need to get along. But, I did tell you all the truth. I saw the back of Michael with his arms like this; he was on his knees. He was touched on the shoulder having a conversation, turned back, and he was stretched out.

SA Okay. Alright.

That is the truth.

SA

Anything else?

That's it. But, if I remember anything else, I'll let you know.

SA

Okay.

Because, I already know about perjury and all that stuff. I never jailed a day in my life. I've been in holdings. I ain't gonna lie and say I've never been in there for trespassing, peace disturbance, and stuff like that. I have been in those. But, as far as penitentiary, no...never.

SA

Okay. Alright.

But um, now I have to call my psychiatrist because you got me too emotional and I am suicidal. That's why my son got the Power -of- Attorney over me.

SA

Well, take care of yourself.

Because, he know the stuff come back to me and I stay by myself and I do have things that I can use to hurt myself. So, if you all could stay a little longer with me until I get myself together, I'd appreciate it.

SA

Do you have some kind of plan right now to hurt yourself,

Mmmmm, yes I do. I ain't gonna lie.

SA

You do have a plan to hurt yourself?

I ain't gonna lie and say I don't. That's why I didn't wanna talk about this stuff. Oh, Lord. Oh.

SA

Okay, well why don't we go ahead and we'll stop the recording and we'll see about getting you some help. Okay?

Oh. Oh Lord.

SA

The time is now approximately 10:08 a.m.

Oh.

I gotta see this...I'm, I'm getting up...

SA (chuckles)

SA Oh, I understand. That's fine.

(sighs)...Okay so...this bend, this bend coming off West Florissant right?

SA Yeah.

Exactly?

SA That's right.

So...he's..running..in this direction...

SA Okay.

...trying to run in this direction. Well, he actually ran in this direction.

SA Okay, so he ran Eastbound on Canfield then?

Exactly.

SA Okay.

So...it'd be goin this...it'll be coming-going this way.

SA Okay.

So...as I see that, as I walk further on my porch, I see the officer chasing after the individual and he hit him "pow" one time in the back...and the individual realized he was shot...so he turns around and immediately put his arms up, and as he's stepped closer to the-the officer...he's surrendering himself, he...he...the officer....has his arms up already and he continued to let every round, I mean every round, the visual is so clear. He let every round in his chest off and as he got closer, he let a round off in his head, his cheek, his head and he finished a round and stood over him.

SA How...how many rounds total?

I, I didn't count cause I was stunned...I was in shock. I, I, I stopped counting.

SA Okay.

It was gruesome.

SA So...so the officer continued to shoot at him, in the chest? Do you know what the distance was between the officer

I'd say about a good twenty feet.

SA Okay.

...before...he cap..before he got shot...in the sense of the...the back shot...

SA Uh huh.

...he turned around, it was closer...I mean-I mean he was close, he was so close. The visual was gruesome.

SA Okay.

SA Could you put an "x" on this map. I'll give you my pen here, and..where...where this took place, just so we can confirm.

I can't see...this...what number would I be?

SA So this is Canfield right here...

SA You are (chuckles)

SA ...you're...we are in building....

Exactly.

SA ...this is labeled as building

Exactly, yes, that's a clear visual in which I had. Um, okay, cause this was Crenshaw...this Crenshaw building right here. This the leasing office, I'm believe...it happened. I'm

SA You're

SA That's right. So, your front porch facing that way.

Exactly, so I'm gonna say that it happened, the visual...

SA Yeah, 'cause you can see it right front your front porch, correct?

Exactly...and that...that's where he turned around, cause I seen when he turned around and immediately put his arms up.

SA

Okay.

And he started walking back, this direction, toward the officer and the officer closed in on him, literally closed in on him and...

SA

How close was he when you said he closed in on him?

(sighs)

SA

Ten feet? Ten yards?

Less than that.

SA

Really? Like from me to the wall, or?

He ah...he was..he was...he did this...

SA

Like ah, from here to here.

Yes, and I think that he did not know wh...he did not know to get down.

SA

Oh okay.

He didn't know to get down. He didn't know to get down. So, he walked up on him.

SA

So he was walking to the officer with his hands up.

He didn't know ta...he didn't know...

SA

Right, 'cause he's a young kid, probably really never been in trouble.

Scared...shot.

SA

Yeah.

Body started feelin' hot.

SA

Uh huh.

I know I got a bullet in my back, I been, I been shot before, so... he didn't know to get down. So...

SA

Okay.

...he did, he did..

SA

Was walk..but with his hands up and...yeah.

He did it in a fashion to where prob..ey...scared the shi...

SA Oh yeah.

You know..so...

SA Go ahead, you can say it.

He-he-he finished him off. It doesn't make... it's not just...that wasn't protocol. That's not protocol. It wasn't protocol at all.

SA Do you remember what Mr. Brown was wearing that day?

(sighs) Wow.

SA Can you describe him...physically?

What I can remember is basically he had a red hat on, a shirt on, some shorts, some socks...you know stripey socks, long socks and the flip flops in which was left up the street....before he start running....

Let me secure that door too.

SA Okay.

(sighs)

SA Okay, so, so to recap here...and correct me if..stop me at any point if, if I'm incorrect about how I understand um, your, ah account...of events here. So, you were standing on your front porch here, on your phone, correct? You heard a single gunshot, is that right?

I heard a shot.

S Okay. And, you...you couldn't see anything at that time...

No.

SA Is that correct?

Exactly.

SA And...and then, shortly thereafter...

I seen individual...

SA Did you walk...on your porch there?

Yes. And, I seen an individual, I seen Mr. Brown running in this direction, you say what bound?, East bound? You said?

SA Right, so that would be as you indicated there, it looks like it would be eastbound on Canfield.

Right, so I seen him running and I, I heard another gunshot "pow" and Mr. Brown turn around and put his arms up. Ya know, and I seen the officer pursuing him, getting up on him...and Mr. Brown was walking towards him cause he didn't know ah...how to get down after being shot...he didn't know no procedure...you don't know.

SA Okay.

So, the officer, I don't know...just shot him. Repeatedly.

SA Okay. So, when he was-when he was walking away...

When who was walking away?

SA When Mr. Brown was walking from the officer, or running away, and a shot was fired, do you know if that shot struck him?

I, I...(sighs)...yeah, I believe so, cause it was s..s. ..a so called, I think the first shot was the shot that went off in the SUV.

SA And that's when you paid attention?

Yeah.

SA Okay.

And then that second shot, another shot...it was, I think it was three shots prior to me, because there was one shot that went off in the SUV from my understanding. And then another shot went off in the building over there, in which they retrieved the bullet. And another shot went off in his back and the remainder, I don't know what k..k..kinda clip he had...I don't know was it a sixteen round with extra in the clip....I don't know what kind of gun he had.

SA Okay.

SA So, we, we want to focus today on what...so, I...I know that the media obviously has, has...

Trying to.

SA ...reported on this...and, as much as you can, I know it's difficult.

No it's not.

SA But we want to focus specifically on , you know, what you saw.

Exactly

SA ...as opposed to...

Exactly, exactly..

SA ..as opposed to what...

Exactly, it's all about my visual. What I seen.

SA Right. Okay, so as, as he is walking, or running or...was it walking or running down Canfield?

Hah. He was running.

SA He was running, okay. So as he was running down Canfield, you observe...I..assume..ah

I observe...

SA ..did you actually observe the police officer make the shot or you just heard the shot?

The first shot? I just heard the shot. The second shot, I'm sure it came from the officer.

SA Okay.

No, cause I seen the individual turn around.

SA Okay.

And, and, and the...and, and, and in amazement like, I know he didn't shoot this individual, cause he had no arms...on...him.

SA Okay.

And when he realized he was shot, he immediately turned around and walked toward the officer.

SA And the officer...when did the officer come into your field of view.

I'm clear...you, you, you...want to stand out there and see?

SA Yeah. Well, yeah, let's, let's go and then come back to the recorder though to though.

(shuffling, clothing sounds heard)

Okay.

SA You good?

(UI) good, tha...(UI) jacket, they...so basically...

[outside now]

...I was right there, listening. See how much of a visual I have. It's clear.

SA Okay.

Let's say he there...that tree right there.....he's walking back, he's walking, he's walking back towards the officer...and the officer closed in on him.

SA Okay.

And, as he walking closer to the officer, the officer continued to let rounds off.

SA Okay.

Period.

SA So he's...they're walking towards each other...

Yes.

SA ..at this point, and the officer is shooting at him.

Yes, sir.

SA Okay. So, again, you're standing here on your porch...

Yes.

SA You hear a shot, right?

Yes.

(UI) ...Yeah, so I, I, I seen it. I mean (sighs)...I seen it ya know?

SA Okay. And so, he, you said then he turned around towards the officer...
Yea.

SA ...and they continued to walk towards each other?
Yes, Mr. Brown came in closer, not knowing to get down.

SA How close do you think he got to the officer?
Stay right there.

SA So that looks like about maybe six, seven feet to me? Okay.
The officer got closer, and (UI) got closer...

SA Okay. Okay.
Execution style.

SA And...as the officer continued to approach, he continued...what did he do?
He continued to let off rounds.

SA Okay. And, do you know where the rounds, when he continued to approach him, actually struck then?
Based on where I was standing at-based on where I was standing at, I could say that it was um, upper chest, lower abdominal, repeatedly, um, and then, um a head shot.

SA Oh really.

SA Where, where was he ah, when the head shot took place? Where was the officer in proximity to Mr. Brown?

I mean, it was...it was like less than the feet that we was just apart.

SA Okay.
It was a visual to where....

SA Like an arm's length? Or what are we talking about here?
Hmmp, less than that.

SA That was when the headshot happened?

Boom, boom...

SA Where, where was Mr. Brown, like was Mr. Brown standing, was he kneeling, was he on the ground, where was he when the headshot took place?

The headshot took place...before he...ah, got down on the ground. 'Cause he had took several shots in his upper torso and his lower abdominal. And...the headshots came when he, he, less than, he was too-he was close, too close, he was too close...

SA Okay.

And...the individual, Mr. Brown...was like "don't shoot", after taking these bullets.

[illegible]

Yes.

SA Okay.

That was his last words.

SA Okay. So...

He knel...he fell, he fell to the ground-he fell he fell to the ground and he continued to let the rounds off. And everybody seen this on a Saturday morning, kids are all playing.

SA Right. So, so he was actually on his knees...

Yes...

SA when he received the round to the head?

Before he flipped over.

SA When he received the round to the head or....

No, he had received the round to the head before he had got on the ground.

SA Okay.

And he still had life in him. And the extra rounds came after he...(sighs) sloped over. And...it was overkill.

SA So, when he actually...what did he do, did he fall forward?

He fell forward.

SA Okay, he fell forward and then what happened?

The officer stood over him and finished him off.

SA Okay, can you, can you explain that...how did he finish him of...

Well, finish him off means in a sense finish his rounds off. He's already taken...several bullets, and to actually stand over individual and finish a clip off...[slaps hand]

SA How, how many rounds would you say?

I, man, I, I, I was in awe, I, I, I, I couldn't believe the officer was out of.... I couldn't believe a officer was out of protocol. Based on a man being unarmed.

SA Okay.

So...I..the numbers, in which how many rounds went off...I couldn't tell you. Its just...what the f..

SA Fuck. (chuckles)

I couldn't tell you, man.

SA Okay. So the officer just, let me make sure that I understand your, your, your description here...so the officer is standing over him...

Yes, sir.

SA While he's, at this point, laying on the ground.

Yes, sir.

SA And he continued to fire?

Yes, sir.

SA And he struck him in his head .

Yes, sir.

SA Sure.

SA Right.

Ya know, I'm not ...

SA Sure.

...really trying to get a visual...

SA Oh, I understand. Um...do you know like what type of build he had? If, if he was like...

Slim...slim build.

SA Slim build?

Yeah.

SA The officer?

Yeah.

SA Okay.

Yeah

SA So he was tall, slim, he's got brown hair.

Something like that, yeah.

SA Okay. And then, what color are their uniform shirts?

It was blue.

SA Ah...like light blue or navy blue.

Navy blue.

SA Okay. [pause] What am I forgetting to ask you here? Wha..what else is...

SA Whatever you want to...I don't know, I mean....

SA Is there anything else we need to know that we didn't ask...

SA That's all I know.

SA ...cause you know...we...

SA I mean, that's all I have.

SA ...cause we got very general, you know, very general information...

Yeah, I...that's okay.

SA ...that's why we're talking to you guys.

Yeah, it's okay. I mean, because, I mean...I haven't been to sleep since Saturday and I was looking to get some sleep.

SA Sure.

Yeah, ya know what I'm sayin'?

SA And you got both of us knocking on your door. (laughs)

SA That's okay, but I figured you guys were coming anyway.

SA Yeah.

So, um, I have not really...I was tryin' to get in contact with you guys, you know. I knew you was coming. My name is out there already. You know what I'm saying...and I wasn't holding my tongue concerning what I seen.

SA Yeah.

It was gonna be told. You know? Um, I wanted to go to the Marines, you know what I'm saying, I wanted to become...you know what I'm saying...and get a chan...

SA Do the right thing.

I didn't get a chance to. You know what I'm saying, and so...you know, and for me to see this.,it just, just...

SA Especially with a kid. You know....

Yes, it tears me up.

SA We know what it's like.

Good God. Now check this out. My...n...I just found out he's my nephew's friend....

SA

Ohhhh....

... and my sister um, came and visual yesterday...she say he's been over to her house several occasions, I say how was his character, she say he's very well mannered. And, and it's like people put displays of trying to assassinate his character, like he was a thug...okay, you might have a visual or camera of him hanging with some individuals where they probably did that...whatever they did at Ferguson Market or whatever had you, but...his parents, his grandma...they didn't tolerate that crap, so therefore...whatever the media try to project his character to be...

SA

Right. Yeah.

That's right.

SA

Yeah, that's the problem with (UI) the media. You know.

Yeah, cause they want a story. They need a story.

SA

Umm hmm.

That's how they get paid, you know what I'm saying, but if you wanna...put something out there, put it out the right way 'cause Karma gonna come back and whether you want to accept it or not. You gonna be exposed.

SA

Right.

You know.

SA

Yeah. Clearly the whole situation is very sad.

It is, it's a sad...I mean, other human being. Sa...it has nothing to do with color. You know what I'm saying?

SA

Right.

You bleed the same way, you got a heart, you got a brain, you know...you know... I police this...this over here. I'm like the...Mr. boonie man...

SA

(laughs)

..I put my boonie on, I put my boots on, and... I tell you that I'm concerned about the elders over here and the kids over here and there state of mind. I-I perimeter, I check everything and I by myself. I'm the same like minded individual ya know what I'm saying. That we go out here..we make sure everybody's okay. I don't get in until three o'clock

every morning and I make sure everybody's cool, you know what I'm saying. (sighs) Um, just trying...just keep doing the right thing 'cause what they're doing in West Florissant has nothing to do with this community over here.

SA Right.

And...and um, what they doing in West Florissant, this where happened at that stuff that happened at Quick Trip and all the other places, these people coming from the city and the north count, south county and just expressing themselves...opportunities...

SA Hurts you guys.

They looking for opportunities, opportunists, you know what I'm saying and we don't represent none of that violence, you know what I'm saying?

SA Right.

Just..we trying to keep the order here.

SA Good. That's how it should be.

Exactly, ya know what I'm sayin'? And I never seen people come together and there is always a tragedy gotta happen before people can come together and what we trying to instill in them is consistency after months and months ...

SA Well remember that and keep going.

Exactly, exactly.

SA Any questions, any additional questions?

SA Ya know, if we leave you with a card, and you can call...

I was waiting for it. I was waiting...I was waiting to see your guys badges too though. But...

SA Oh, we can give you that too.

Yeah.

SA It's so rainy now we don't want to get everything all wet.

Exactly, right. Do you mind if I hold it?

SA So what I'm going to do with card is right the office number on the back of it.

 Okay.

SA And, you...

 I'm gonna lock it in my phone, don't worry.

SA (laughs) Yeah, if you ever need anything...(UI) you can call us.

 Right.

SA You can call either number, I encourage you to call the number of the office on the back, which is

 Okay.

SA And obviously this is a stressful situation for everyone who's involved, so if at some point you remember something you forgot to tell us...ah, if your perception of what took place changes, anything of the like there, just don't hesitate to reach out to us...

 Okay.

SA ...there gonna take your name, they're gonna take your number and then we're going to call you back.

 Okay. I'm, I'm, I'm, I'm...in the regards of it changing..it's been consistent. It's been the same. Because, I mean when you have a visual...actual, seeing what actually went down...

SA It's caught.

 Yeah. And, I mean, I only se...I only seen this when I was twelve, I seen a guy...um, a mailman take the life of a...guy... you know, when I was in grade school or whatever...

SA Oh wow...

 Um, he got caught...you know. But, a 357 and all the kids and...you playing in the school yard and he take the life of this dude cause of jealousy, cheating, you know...got caught and like what?...bow! He was running everywhere. I can remember...

[End of Tape]

August 9, 2014
4:12 p. m.
Detective
Det.
St. Louis County Police Department

Det.
Det.

DET. This is Detective St. Louis County Police Department. It's August 9, 2014, at approximately 4:12 p.m. With me is Detective and we are speaking with juvenile witness...

DET. Can you say that one more time,

DET. And, his father who is identified as...

DET. And his father's girlfriend who is identified as...

DET would you please, uh, take myself and Detective through everything that you heard and saw today.

Yeah, um, I was listening to the music off the TV and then I paused it 'cause I heard some screamin' and stuff so I looked out the window and I saw a man with his hands in a police car tryin' to snatch it away and then he got away. He pulled out the taser and tried to tase him but he missed. Then he pulled out the gun and tried to shoot him and he missed. Then he ran down the street and then he shot him once and I stopped lookin' but I heard like four or five more shots. Then when I looked back out there he was laying on the ground.

DET. Okay, and right now, we're inside your father's residence. What's that address?

DET. So you're in this, uh, upstairs apartment the whole time?

Uh huh.

DET. And the viewpoint you described to me and that you've shown us is that you are at, uh, the double sliding door...

Yeah.

DET. ...covered by, uh, blinds that run vertically. Um, you said the gentleman had his hand in the police car?

Uh huh.

DET. Uh, any idea what he might have been trying to do? He was actually reaching within the driver's window of the police car?

All I saw was his hand like enter and he was tryin' to like pull away from him. But, I don't have no idea what he was doin'.

DET. Was the police vehicle door shut at this time?

Yeah, it was shut. Yeah, it was shut.

DET. The police vehicle door was shut. Was the police officer inside or outside the vehicle?

He was inside.

DET. Okay.

DET. Okay. And, that police vehicle, the one we pointed out to you, uh, that's diagonally in the middle of the street still, that's just as you saw the vehicle at the time of the incident?

Yeah. Yes.

DET. Okay, uh, can you break it down what happened after you saw that, uh, gentleman reaching into the police car. Was he alone? Was he with anyone?

Well, he was with one other person.

DET. Okay.

DET. Was this person to the left or right side of-of that person?

The right-the right.

DET. Now, the person reaching inside the car, can you describe that person for us?

Um, he was kinda he was dark skinned, low cut, had on some yellow and black socks, some cargo shorts and I don't know what color shirt he had on.

DET. What color are the cargo shorts?

Like some khaki.

DET. Khaki color. Okay, cargo shorts. Did he have any objects in his hands that you could tell?

No.

DET. Okay. How about, describe the, uh, the guy he was with.

Um, he had dreads and he had on a black shirt and that's all I could remember about him.

DET. Have you ever seen anyone of these two individuals before?

No.

DET. Oh, okay. Um, do you ever hear that, that second individual ever yelling anything, saying anything?

No.

DET. Nothing? Okay.

DET. After , uh, after the first one reaches into the police car, can you take us through again what-what happened after that?

Um, he pulled out his, well he pulled away, then the police officer pulled out his taser and tried to tase him but he missed.

DET. Did the police officer, and I'll stop you in just one second. Did the police officer exit his vehicle before he pulled out his taser or...

No he was still in.

DET. He was still inside the vehicle, he pulls out his taser.

Uh huh.

DET. Okay. And, he shoots at him?

Yeah.

DET. Do you know, did he hit him with the taser or not?

No, he missed.

DET. Missed him.

Yeah.

DET. Can you describe the taser? Did you actually see the taser...

Yeah.

DET. ...in the policeman's hand?

I saw the little thing come out.

DET. Was the taser yellow, black?

It was black.

DET. Black taser.

Yeah.

DET. Okay. Then what'd you see?

Then I saw him pull out his gun and I heard a shot.

DET. Now did the, did the police officer ever exit his car or not?

No, he was still in the car but he opened the door to shoot and then he got out when the, um, the man ran, then he shot him.

DET. Okay.

Then I stopped lookin' and I heard like four to five shots. Then I looked again and he was on the ground.

DET. Okay.

Bleeding.

DET. So, how many shots did you actually see, uh, take place?

One, but I heard several.

DET. Uh, the one...was that the one from the police vehicle when he was trying to open the door. That's the only shot you saw?

Yeah, that's the only shot I saw.

DET. Okay.

DET. Did you see where the other individual ran to?

Yeah, he ran into one of them complexes.

DET. Can you describe that complex for us?

Um, it was one of them...a

DET. Over here to the left?

Yeah.

DET. Okay, so from your vantage point it would be...

Straight, it was like..

DET. ...so just north, northwest of the location of the police vehicle...

Yeah.

DET. ...where the policeman exited from and the altercation started?

Yeah.

DET. Okay.

DET. After that original shot when that officer is still in the car, uh, you said he starts to get out.

Uh huh.

DET. And the young man, he starts to run away. And, you heard additional shots but you didn't see 'em?

Yeah. I heard but I didn't see.

DET. You looked away at that point?

Uh huh. Then I...

DET. Why did you, uh, why did you look away?

Cause, I looked away because I'm like I thought he already had like, caught him and put him in handcuffs and everything. But, then I heard several more shots so I looked again and he was on the ground, bleeding.

DET. If you saw the individual that was with the deceased, um, would you be able to identify that person?

I saw the back of him.

DET. You saw the back of him.

Yeah. I didn't like see the front.

DET. You never saw, never saw his face?

No, I ain't never saw his face.

DET. Did you, uh, did that police vehicle, did that move at all from the first time you saw it or that's exactly how it's positioned through the entire incident?

That's exactly how it's positioned.

DET. Okay. And, upon you first looking outside, you don't know what leads up to that man reaching into the police car?

Yeah, I don't know what, know what happened.

DET. Okay. And then as he runs that way down the street...

Uh huh.

DET. ...Uh, your attention is diverted. You think the incident's over...

...yeah.

DET. ...Uh, and you heard about how many additional shots after that?

Like four to five.

DET. Did you hear any verbal exchanges between the policeman and that gentleman?

I heard him screamin' when he shot...when he shot him.

DET. And that-that was the screamin' we talked about earlier where it was just screaming in pain. There was not actual verbiage coming out, was there?

No.

DET. Did you ever hear the officer give, uh, yell any orders or anything?

No, no I didn't hear the officer.

DET. Is there any chance that any conversation between the two would have been, uh, drowned out by surrounding noise whether it be the A/C or if you were listening to music?

It probably was but I had the T.V. paused though.

DET. Okay.

DET. While this incident took place, did you see any other people standing around outside, people in cars?

Yeah, I saw a couple cars tryin' to get through, but...

DET. Couple cars-couple cars trying to get through.

Uh huh.

DET. Can you describe those calls for us?

I saw a blue, um, I think G6, I think.

DET. It's a newer model, older model?

It's a older model.

DET. Pontiac G6.

Uh huh.

DET. Okay. Two-door or four-door?

It was four-door.

DET. Could you tell if it had Missouri license plates, Illinois license plates?

No. I didn't look at all that. I just...

DET. Unknown-unknown plates. Okay. What-what and you saw another vehicle?

Yeah.

DET. Can you describe that vehicle?

It was a white Pontiac, a white Pontiac.

DET. White Pontiac.

Yeah.

DET. Two-door or four-door?

A four-door.

DET. Any plates on that vehicle?

Yeah. But, I wouldn't, I wouldn't recognize 'em.

DET. So, you couldn't tell what type of license plate, though? Okay. Any other persons standing around?

It was just them two and the officer.

DET. And the officer, okay. And you said those vehicles were trying to get around the officer?

Yeah. Trying'.

DET. And which-which way did they go? They went...

One came from this way and one came from that way.

DET. Okay. So, two separate vehicles driving from two separate directions in- in opposite directions, okay, okay.

DET. Uh, do you think there's anything else of-of value that we didn't ask you about, uh, now or before?

Um, no.

DET. Okay. Uh, the time is now approximately 4:22 p.m. and this will conclude his witness statement.

Um, I was walking down Canfield, uh, I got to almost-almost the entrance of the leasing office when I saw the-the officer back his van up and hit the two boys. Um, immediately his friend took off and his name Mike he started like fighting with the officer through his window. I don't know why they were fighting through the window but then you heard the first shot and all the cars on the street stopped. They started backing up. Then he, uh, started running. He stopped halfway and turned around and that's when you heard the rest of the shots.

SA

Okay.

And I don't have really good eyes so I couldn't see like exactly where he got hit or anything like that. But it was about seven eight shots that I heard.

SA

Okay.

And like he did have his hands up. People wasn't jus sayin that. He did turn around and put his hands up.

SA

Okay. Can you hand me, uh, the map there. So I can, show (UI). I'm going to show you a map of the area. If you could show me where you were.

Okay. (Rustle sounds).

SA

So, here is, uh, a map. Here's Canfield Road as you can see. Uh, is this the building we're in here right now, building ?

Um.....yeah. I think so.

SA

You think that's it?

Yeah.

SA

Okay. And so do you recognize this-this ariel map where everything is?

:

Wait, if this is our building, so.....um...

SA

So, like West Florissant runs over here.

So, okay this is the office and that's the little building on the parking lot the office, right?

SA

Okay.

So, it would be like uh next to one of these trees over here. And the shootin happed about right here.

SA So can you mark on this map where you think you where when you saw this.

I was like, right here.

SA Okay, and can you just put, um, your.... just put like you initials right there. So you think you were standing about there and where was it that, um, you think the shooting happened?

Like right here.

SA Okay. And so, you said you went up to the is it the mailboxes you went up to?

No, I was coming back from the library.

SA You were coming back from the library and where is the library at?

: Uh, Lucas and I mean Lewis and Clark Library is over on Lewis and Clark Road.

SA Okay.

Off Chambers.

SA So were you coming this way?

I was coming from West Florissant.

SA Coming from West Florissant. West Florissant's on this, would be on this side of the map. So were you on foot, in a car?

No, I was walkin'.

SA You were walking. Okay. Um, and were you walking on the sidewalk?

Yeah, on the sidewalk on this side.

SA On the side closest to the building.

Yeah.

SA Okay, that would be the south side of Canfield here. So, um, you were walking on the sidewalk, were you by yourself or was anybody else with you?

Yeah, I was by myself.

SA By yourself. And, um, do you remember what time that you were were coming back from the library?

Uh, I don't remember exactly. It had to be about 12:40 or something.

SA 12:40.

Almost 1 o'clock.

SA Okay. Is when you

When I was walking down the street.

SA You were walking down the street. Okay. And when you went to the library did you check anything out, did you

Yeah, um got some movies.

SA You got some movies from the library. Okay. Um, so you were walking down the sidewalk here and what's the first thing that you see?

The first thing that I saw was the police car. Cause usually you don't see a police car over here unless something's happening.

SA Okay.

:

The first thing I saw was the police car um sitting out there and I saw the two boys, I don't know what he said to them but then I saw him like back up in a slant. You know and hit them. Like they were on the, I don't, they was like on the street and he backed up like on a slant like this. And that's what caught my attention.

SA Uh huh.

I'm like what's going on looking down there? I saw the boy get mad and come around to the window and that's when everything happened. His friend just took off running. He didn't stick around to see what was going on.

SA So go back. You said when the officer backed the car up and hit the hit the two boys...

YEAH.

SA Uh, what side of the car was that, were they on when that happened?

Um.....the left side of the car, the driver's side window.

SA

On the driver's side?

Yeah.

SA

Okay, cause and then you said he came around, somebody came around the car?

No. His friend ran, ran down the street.

SA

Okay.

And he backed the car up at a slant like, like a left slant towards the street.

SA

Okay.

He was facing West Florissant...his car was facing West Florissant.

SA

So he was facing back this way.

Yeah.

SA

Okay.

His car was facing toward West Florissant. He backed up like this.

SA

So the car.....

So he must have been in the street for them for him to hit them.

SA

So the car was facing you.

Yeah.

SA

And then backed up.

Backed up like this.

SA

Okay. With the, with the rear of the car, uh, facing this side.

Yeah.

SA

(U)

Going forward (UI) boys.

SA

So the car, so if this is, if this pen is the, this is the bump, front bumper and this is the rear bumper, was it like this or how can you finish it?

You say this is the front?

Yeah. They were together. The was walking really close.

SA Okay. So he bumped into both of them and then one of the two reached, did they, I'm sorry. What happened next?

It was like he was fighting with him almost. He came around to the driver's side and all you saw was his hands go in and out of the car. And then you heard the first pop. And then, uh, he backed up and went..... I saw a gun fall. Everybody saw that and that's why they thought he had a weapon. That's why he thought the boy had a weapon cause you saw a gun fall after the first pop. Then uh, I don't know if the gun got picked up....if it was the officer's or whatever. They said he was grappling for the gun, but I, I don't know about any of that.

SA Yeah, I just want to know what you saw, not what you've heard or what you've seen on TV or anything.

Yes. I saw the gun fall on the ground. I saw him started running. Then you saw the rest of the shots when he turned around.

SA So, you said, um, after he bumped into the two guys, um, one ran away uh, did he run around the front of the car or the rear?

He went around the back.

SA Around the back of the car.

: Yeah, they were already.....

SA Did he come to this side or towards your unit?

He ran towards this way.

SA Just down, uh...

Yeah.

SACanfield.

SA So he ran away from West FLor..West Florissant's over on this side of the map. He ran away from West Florissant.

Yeah.

SA Down Canfield.

Uh huh.

SA Okay.

Yeah. When I heard the first shot his door was closed.

SA Okay.

His shot came through his window.

SA Okay.

Like you hear the pop was in that-that window.

SA Right. Okay. So, it was kinda inside of the car.

Yeah.

SA You didn't see the actual muzzle, like hanging out of the, like they were still fighting at that time.

Yeah.

SA Okay. Uh, then the weapon fell and Mike Brown you said kinda backed up.....

Yeah.

SAand then.....

He ran not by about 4 or 5 steps and then he stopped.

SA Okay. Which direction did he, maybe you can show me...

He was goin in the same direction as his friend was goin that way.

SA Okay. Away from , away from...West Florissant.

Away from the car. Yeah.

SA Okay. Um.

SA Did he run around the front of the car, around the back of the car?

No, he was already at the driver's side window, so he just started goin' away from the car.

SA Okay. I get...

Towards the back.

SAokay, let me make sure I understand, cause....

This way.

SA ...back that way...

SA If, if this is the front bumper and this is the rear bumper, right.

Um um.

SA It was prob.....

It happened right here at the driver's side.

SAand they were, they were fighting here at the window.

Yup.

SA It was slanted though. It was kinda slanted right?

Yup.

SA Okay. So, then when he runs way, does he run around the back bumper.....

Yeah.

SAor does he run around the front bumper?

He runs around the back.

SA He runs around the back bumper. Okay.

That's another reason nobody was comin' through 'cause his car was slanted almost in the middle of the street.

SA Okay.

That's another reason people was stopping to look, like what was goin' on.

SA Okay.

SA Okay. So, he runs around and again he runs down Canfield away from West Florissant.....

Uh huh.

SA Yeah.

SAwhich I believe is east here on Canfield.

Yeah. And that's why they have the memorial right there it was not too much farther from the car that he got before he got shot and fell.

SA Okay.

SA Okay. So he runs how many steps?

Um?

SA Approximately.

Probably like between 5 and 10 steps based on the distance he got. I think between 5 and 10 steps.

SA Okay. And what happens next?

Um, he turned around, then I heard the rest of the shots. I told you I can't see that far, but I just heard the rest of the shots. He stood there for a minute then he just fell down.

SA What um, what-what happened when he turn around? Was anything said? Uh. Was the officer saying something? Was Michael saying something?

I didn't hear them saying anything.

SA Okay.

They might have, but I didn't hear anything.

SA Okay. So he turned around and, uh, was he walking? Was he just standing? What happened when he turned around?

When he turned around he took about a step back then he put his hands up basically like I'm done. Arrest me. You know.

SA Uh huh.

Something like that. And then it was just pop pop pop. Like a whole bunch more shots.

SA Several more.

Yeah.

SA You know how many more shots you heard?

Probably about five.

SA Okay. And then after you hear those five shots, what happened?

He fell. He fell down um.....

SA He was standing at this time?

Yeah.

SA Okay.

Then he fell down and the officer, he had his gun at his side, just walking up and down the street. Like, just looking at people. You know. 'Cause people started running out, like you all shot him for no reason.

SA Uh huh.

You all murders and stuff. So he was just walking up and down the street with his gun in his hand. He didn't even put the gun up. Like he wasn't scared.

SA Did you see uh, so when-when Michael Brown, when there was a first shot that he turned and ran a few steps, uh, what was goin on with the officer at that time? 'Cause at that this time the gunthere's a gun on the ground.

Oh, I wasn't paying attention.

SA Okay.

I wasn't paying attention to that.

SA So you were just looking at Michael Brown.

Yeah. 'Cause, you know when heard the first shot, I'm looking like did he get shot?

SA Right.

No, he started running. And, I wasn't paying attention to the officer at that point.

SA Okay.

SA And let me just make sure we , we're talking about the right person. Can, can you describe him at all?

Who? The one that got shot?

SA Yeah.

Um...yeah, he had on a baseball cap. He had on some like cargo pants. Uh. I don't remember as for as shoes and all of that. I don't even remember his shirt color. I just remember he had on a red baseball cap, some cargo pants.

SA And cargo pants. Okay.

SA Okay.

SA So, let me back up and and and make sure, um, one more point I understand. After he runs however many steps away, he stops and he turns around. And did you say that he starts back towards the officer or he backs up?

No, he he's just backing up away from the officer. You know, slow steps.

SA Okay. So he turns around and faces the officer.

Uh huh. Yeah.

SA But he's continuing to back up?

Yeah.

SA Okay, So he's walking backwards?

Yeah. He looks scared. You know.

SA Okay.

SA Alright.

SA And at that point did he have his hands up? Did he have his hands down?

He had his hands up. That was like at his shoulders. Like.....

SA At his shoulders.

Yeah. Like.....

SA (UI)

SA So not up like his elbows locked out....

He was like, you know.

SA But at, about at his shoulders, you think?

Yeah.

SA Okay. And again, could you hear anything, any interaction at any point other than the gun shots?

No.

SA You couldn't hear anything.

Huh uh.

SA Okay.

I mean it was like they was having some type of conversation when he at the window, but I didn't know what they were sayin.

SA Um. Okay. And when he was at the the window of the vehicle, um, before the initial gunshots, did the, did he approached the window of the vehicle, Mr. Brown?

Yeah.

SA He approached the window of the vehicle.

Yeah.

SA Could you tell whether he reached in or the officer reached out or how that interaction went?

Oh no. I don't know. No.

SA You're not sure. Okay. Was um was he in the window? Were parts of his body inside the window?

Yeah, like his head and shoulders were.....

SA His head and shoulders were in the window.

Yeah.

SA Okay. Were his arms in the window as well?

Yeah. His arms basically you know steady reaching his whole top half in the window then coming back out like they were fighting, kinda.

SA Like they were fighting.

Yeah.

SA Okay. Ah, but you couldn't hear or tell, could you see what the officer was doing?

I couldn't tell what...

SA You couldn't tell what the officer was doing.

He was a big dude. He was blocking the like the officer. I couldn't see what he was doin'.

SA Okay.

SA Could you tell if there-there were any, um, I mean you said they were tussling and fighting, but could you tell if there were punches thrown or if there was just grabbing or pushing?

No. I just saw the back of his body and his arms moving.

SA Okay.

SA And that's when, I just want to make sure I understand. That's when the, when you heard the first shot go off.

Um huh. Yeah.

SA And you said that, at that point Mr. Brown stepped back.

Yeah. He came out the window and was like looking like you know. He stepped out the window and backed up a few steps. Then he tried to run and turned around.

SA Okay. And did you say that you, you were, you didn't see what the officer, I mean did you see the officer exit the vehicle or stay in the vehicle?

No. I wasn't paying attention to anything.

SA You weren't looking at the officer.

No. Not at that time.

SA You were just looking at Mr. Brown.

Yeah.

SA Okay. Runs a few steps, stops, turns around and then continues to back up backwards.

Yeah.

SA Um, puts his hand up about shoulder height you think?

Um huh.

SA And when is the officer firing? Do you remember when you hear the rounds?

Um, almost as soon as he turned around. About five seconds after he turned around.

SA So he didn't shoot at him while he was running?

No. I don't think so.

SA No. So he...as soon as he turned around then he started shooting? The officer started shooting?

Yeah. Yeah.

SA And then....um...do you....I mean do you have any idea how many shots you heard?

Um...I say when he, when he finally stopped, I say I heard about five shots. They all went in a row.

SA Okay. So one in the car...

About five shots. Yeah.

SAand then he turns and runs, stops, turns around and when he starts shooting when he turns around are his hands up or are his hands down?

When he, when he turned around?

SA Right.

Yeah, his hands was up when he started shooting. He had already stopped. He was like I give up. Just, you know, I got shot once don't do anything, I , you can take me to jail. That's basically what he looked like. Like he was scared.

SA Okay. And so he shot, you say five times you think then?

Yeah. It was about five shots. They was all in a row. Just, you know.

SA And what did, what did Mr. Brown..did he...was he continuing to move backwards or was he coming forwards? What was his response?

After he got shot? He, he fell like-like exactly the last shot I heard. He fell.

SA Uh huh. Okay. So at the end of those five shots is when Mr. Brown went down to the ground.

Yeah. Yeah.

SA Okay. Is there anything else that you can think of that, from that day that you think would be helpful for us?

Um..

SA Like I told you before, we're just trying to find out the facts of what happened that day.

Um....nope. That's, that's about it. 'cause after I saw that, I came in the house. I'm....that's about it. Yep.

SA Okay. So have you talked to anybody else about what you saw that day?

Um.....not really.

SA Okay.

I only live here. (chuckles).

SA Okay. (chuckles).

SA But no law enforcement.

No. Um huh.

SA Police or state police, county?

The police, they been to ...uh...

SA Did somebody come by here already?

Yeah, somebody just brought that and put that in the door.

Yeah. They just dropped that off right before (UI).

SA Oh, okay.

SA Oh, you guys didn't hear them knock on the door?

Yeah. They knocked. Not open the door because you told me about this and...

SA That was somebody different.

And, uh, somebody came behind her and put that card on the door.

SA Okay.

SA I'm going to put the office number on this for you guys too so-so you have it, the local office here.

SA And , what's your phone number here?

Um,

SA And I don't think I got you social security number before. Can I get that from you?

Uh...yeah.

SA How long have you all been staying here?

Since February.

SA Okay. Usually pretty quiet?

Yeah.

For the most part.

SA Alright. You mentioned that, uh, were not a lot of people out there, but there was some....

Yeah.

SAwhen you were walking up, um, because the officer's car when he backed up and was kind of at an angle people couldn't drive through.....

Yeah.

SAso he was stopped. Do you know any of those other people who, who you saw outside at the time?

I don't know any of them.

SA Oh.

I know um some boy was out there. He ran around here, came and was telling, I guess it was his family or something, they shot him. They shot him.

SA You don't know who he is? Or (UI)

I don't know too many people over there.

SA Okay. Um...the vehicles that could not pass, do you remember what type of vehicles any of those were?

I don't really know car models....

SA And and the reason I'm I'm asking since we just want to find who ever saw something. Just to get the facts. So....

I know right behind me it was like a pitch black van, but I don't know like car models and stuff like that.

SA Okay. Alright.

SA Did you, um, I know you marked the map here where you were standing. Um. Did you stay right there? Did you move forward? Did you back up? Did you....

No, I stood right there at uh.....

SAstood right there.

....until the shots had stopped. 'Cause I didn't want to run through, you know, somebody was shootin' back and forth or something like that.

SA Sure.

SA That's probably a good idea.

SA I trying to make sure I understand where you were the entire, during the entire.....

Yeah.

SA time of the incident.

Until it was over, until I didn't hear any more shots that's when I came home.

SA That's when you came home. Okay. And when you came home, did you, how did you come home?

Um...back across the parking lot how I usually do.

SA Okay. So, on the, this would be the west side of building here on the map.

Uh huh.

SA You came through that parking lot, down this Caddiefield Road to building

Yeah.

SA Okay. Can you do me a favor and, uh, go ahead and just write today's date and put your initials right here at the bottom so we know that you're the one that put the marks here on the map. Yes, today is August 16.

SA Is this the best phone number for you in case we have follow up questions or something we missed or, uh, somebody, you know somebody else on the case has questions for you?

Yeah.

My number. Uh...

SA (UI)

SA Is that a cell?

Yeah. My cell phone number.

SA Okay.

SA And you have all this information.

SA Yeah.

SA Okay. And, is this number that you gave me, the is that a cell
phone, house phone?

Yeah, it's the cell phone.

SA Okay. Um...are you working right now?

I start the 29th. So, not right now.

SA You start the 29th. Okay.

SA Where you gonna be startin' at?

SA Okay. Sounds good. Sharon (Ph) what's your social:

SA Okay. You haven't, uh, spoken with anyone who said they actually saw...

No. I just, a, I came, I was at work. Um, when I came home that's when they just had everything blocked off.

SA Okay. So, you got home after the fact.

Yeah.

SA And you don't, you don't know a lot of the people around the area?

Nah, just the ones that live that building over here and right here.

SA Okay. Neither of 'em saw anything either?

I ain't even talked to 'em about it.

SA Okay.

And he wasn't even home when it happened.

SA Gottcha. Okay.

SA Do you, uh, do you know anybody that was involved either the officer or Mr. Brown or his or the person that was with him or do you know them?

I don't know any of them.

SA You don't know any of them. Okay. You got anything else?

SA No. I don't think so.

SA Alright. The time is now approximately, uh, 11.22. We will be shutting of the recorder.

police shooting where somebody is killed, um, there's always at least a preliminary investigation, you know, by the FBI for a civil rights issues, um, this case being that it's-it's getting such attention and unfortunately some of it is very negative...

: Yes.

SA ...because some people are taking advantage of the situation, then it's, you know we want to make sure that we get all the facts we can.

(talks to kids in the background, asking them to leave the room)

(Background commotion)

SA You, ok?

Oh, Lord yes I'm ok.

SA Are you ok?

I did witness it.

SA You did witness it? Ok, can what, I'm sorry to ask, but what's your name ma'am?

Um,

SA What is it? Spell it.

SA

SA

Uh huh.

SA And what's your date of birth?

SA And no one's spoken to you yet about this?

No, c'ause I don't stay out here. I was out here visiting my cousin, or whatever...

SA Ok.

...and...I was just so happy just standing outside.

SA Where's your cousin live?

He stay next door but he's not at home.

SA No, I mean, is he this building?

Yeah.

SA Oh.

But he's at work.

SA Ok.

And uh.

SA Were...you were sayin' you were so happy...out..today you mean?

No.

SA Oh.

To be out there that day.

They..that day it happened...

To witness.

..to witness it.

SA Ok.

And..when I was standin' out there talkin' to the guy ya'll...well...I don't know, he's next door talking to someone already but...we was standing outside, and the lady downstairs. We was standing outside talking. And..the guys was walking down the street. Now, at first they was walking toward store. Now..not knowing that it was gonna happen.

SA You..you talking about the victim?

Right.

SA Mr. Brown?

Right.

SA Ok.

But him and his friend was comin' back and they was walkin' like in the middle of the street. Didn't hear what the police had said, but when they pulled off, immediately they pulled back.

SA The police?

The police. And all I saw was the police arm come out of the window, and grab him by his collar. And...the first shot went off. He tried to run,

that's when the second shot went off. He stopped and with his arms up, never went down to portray that he had a weapon or anything.

SA Uh huh.

And when he turned back around the police shot again. And it just and like the shot just started ringing. And he fell. Police got down, checked him, got up and walked away. And...

SA There was just one officer?

There was two in the car.

SA There were two officers in the car?

It was two..I seen two officers in the car.

SA Ok.

SA Um, if you don't mind, we just gotta take this slow, by piece by piece. Where were you standing exactly?

SA Here, I gotta map.

I was standin' like..not that far from that dumpster.

SA Ok.

SA Ok, so for example we are in.. I don't know building we're in right now..

SA We are in right here.

SA We are in this building right here.

SA This is the parking lot, this is..

SA Yes, so this is..

SA ..where the shooting was..

SA Yeah, it was in this area.

Right. That dumpster that's right there.

SA So, in this parking lot? So right there?

Yeah, I was standing in this parking lot.

SA So you over in this area?

Yeah.

SA Ok.

SA And then were you by yourself then...are you..

Yeah, I was-I was talking, but we..I was literally by myself, you know we was just generally talking, you know. I left for a cigarette, and...

SA You..

That's when it, rung off, right there.

SA Right, do you..let me back up just for a second. Um, can you walk me through your day then that morning, leading up the event? Were..did you drive here?

I..I drive. I..I actually stay around the corner, on (ph)

SA Ok.

And I was like driving through. I seen a couple neighbors and I..asked for a..stopped and asked for a cigarette. Wasn't nothin' major.

SA Uh huh.

And, we was just talking, 'cause so it..we was just talkin' generally.

SA Uh huh.

But..just to see all of that, it..

SA Do you remember who you asked a cigarette? Or you were talkin' to out in the parking lot? You don't know who it was?

No.

SA Ok.

No, I would..no. But aft..after that he had came down, I talked to him, and that's when , we..we both saw it.

SA He, the...

The guy-the guy...

SA Which one?

..the guy..he over there talkin' to the agent, and he over there talkin' to an agent..

SA Oh, right now he is?

Yeah.

SA Let me take, let me...I just...

But, I don't know if he out there, I know they was on the inside but...

SA Was it on the bottom or the basement?

No. The second floor.

SA The second floor. Ok.

Yeah, the tall guy.

SA Ok.

I mean, he was on his thing, and talkin'. We was just all in general we was just talkin'. We wasn't by each other, or anything. I was standing down there by the dumpster. He was up on the...on the thing. And the lady was...she was just out 'cause they was fittin' to BBQ outside.

SA Uh huh.

And..that's when...its..

SA What..uh..do you know about what time you came over here to the apartment complex?

It had to be like about maybe 1:00...like 1:00...

SA 1:00. So you got here around 1:00?

Yeah.

SA Ok. Um, and then..did..did..so you drove your car, right?

Yeah.

SA Ok, and which parking lot did you park at?

I had to park over there on that side, because I couldn't get through.

SA You talking about thi...

SA So you were parked over here?

SA ..this parking lot right here?

Oh, ok..

SA 'Cause we're..we're right here.

...where the dumpster at...on the other side of the dumpster. On the other parking lot behind here.

SA Ok, so it would be back there?

Yeah.

SA Behind this?

Behind...right over there by the dumpster.

SA Um, were you..were you by yourself at..

Yeah.

SA ..coming over here?

Yeah.

SA Ok. Were you with anyone that morning, pre-prior to coming here?

No.

SA Just by yourself?

By myself.

SA Ok. (phone rings). I'm sorry. It's our partners, hold on a second.

That's fine.

SA (speaking on phone) Hey

SA We lost track of them in the buildings.

SA (speaking on phone) Yep. We are in Apartment Yeah, we're going to be here for a long time, this..this is our first one in this little row. Yeah..we...already did ...that-that's it. In the-in the bottom one, in the very bottom one. To the right. Alright buddy I'll see you.

(During phone call SA took, SA and continued to talk)

SA We appreciate you coming forward.

No problem.

SA I mean its..this is..this is the only way..

It's hard...

SA ... all the truth is gonna come out is if...

Yeah, its hard.

SA ..people actually speak up. And I know, with the chaos, that it makes it even harder because people are more apprehensive sometimes. But it's more important now than ever, that the truth all come out.

Yeah.

SA So..

Yeah..I...like I say, he..I didn't see him in no type of harms, you know, threatening, like being harmful to the police or anything. They rolled up on him, and like..the guys..the guy said they wasn't that far from where they was comin', or where they was goin'.

SA Uh huh.

So.

(Continues after SA ends phone call)

SA Sorry about that.

SA Are they in the building?

SA Yeah, they're right here.

SA Ok, so you said you were standing in the parking lot, and you saw Mr. Brown and another gentleman.

They was walkin.

SA Were they walking on the sidewalk...

They walkin'

SAin the street.

They walkin' in the street.

SA Ok. They were in the street. Ok. And, how far away were they from where you are...or where were...where you were at the time?

Man, I was right there by the dumpster, and right where them balloons and stuff at, this is where..that's where he ran and he stopped.

SA Uh huh.

And that's where he turned around, and he started goin' back towards the police to defend hisself, like-like to give up.

SA Ok. So when you-when you saw them, the..Dorian and uh...

Michael.

SA Mr. Brown. They were walkin' coming towards you...

They was comin' like, they was...

SA ...coming this way up the street?

... comin' like from the..from-from wherever they was comin' from.

And when they pulled up, he...I don't...like I said, I didn't verbatim hear what the police had said to them or anything. I seen 'em when they slided...they pulled off.

SA They..they pulled..

The police had..

SA Off..or..

pulled off..

SA Pulled away from them?

..like..pulled away from them.

SA Ok.

SA Uh huh.

Next thing you know I seen the car come back in reverse.

SA Ok.

And that's when he went to go and grab him.

SA The...

Michael.

SA ..the driver or the passenger cop?

It was the driver.

SA Ok.

He went to go and grab him.

SA Ok.

When he went to go and grab him, that's when he..like...snatched away.

SA Snatched away. Yeah. Did you get...were you...did you get a good look at both the police officers?

No, I didn't. No I didn't.

SA Um.

It happened so fast, I...turned around and fittin' to get ready and run.

SA Yeah.

UNKNOWN: Uh huh.

And then, that's when I heard the second shot and I turned around and I look..and that's when he got outta the car.

SA The police..the driver?

The police. The driver..got out of the car.

SA Got it. Was he white or black?

White.

SA I just..I already know the answer I just gotta ask you these..these questions..

Right.

SA Ok.

And that's when he got outta the car and he..like I say he was going back toward them like "I give up."

SA Had you heard a shot at that point? You say...

I..the first shot, second shot..I heard all the shots.

SA Uh huh.

SA But..the..when did the first one happen?

Before the...the police hadn't...he hadn't even got out the car.

SA But I mean, was that...you said he pulled and...

He pulled...

SA ...reached out the car?

...He pulled out and grabbed him. He...evidently he had already...he had his hand on his gun.

SA Ok.

SA Uh huh.

And when he snatched away from him, that's when the shot went off.

SA Ok. So you saw all that. You...

..I..and..

SA ...him pull him..and...

He pulled on him and that's when the first shot rung off and I was fittin' to get ready and turned around and I was fittin' to run.

SA Uh huh.

When he turnt around with his hands up, and said "I give up"...I'm..that's when the second shot rung off.

SA Could you see at that point he had been shot?

The first shot, I had seen that-I seen that he was shot, 'cause I seen the spot.

SA Uh huh.

The red spot on his shirt.

SA Ok.

And the second shot, like I say, when he turnt around...

SA Do you remember-do you remember what color, what his outfit was?
(UI)

Uh..like khaki shorts type. Like, I wanna say like, uh, greyish type like t-shirt.

SA Ok, did he have a hat? Or no hat?

I think he did, I really...like I say...

SA Yeah.

It happened so fast...

SA Oh I understand.

I really couldn't pay no attention, but, I don't...

SA Did you get a good look at the second police officer in the vehicle?

No I didn't.

SA No? Did he ever get out? I...

Yes he got out. But...

SA Was it a 'he'?

It was a 'he'.

SA ..Or was it female? Ok.

It was 'he'.

Officer..

SA On him?

Tuggin' on him.

SA Tuggin' on him.

Yes.

SA Did you see uh, Mr. Brown's hands, what they were doin' at the time?

No.

SA Ok.

He, I mean, I could just see him try to defend like, get away like, what am I'm doin'? I mean...

SA So...

SA He was on...

It was basically..

SA He was on this side of the car...

...like his...

SA ..the drivers side...

Yes. Like say for instance you getting grabbed, you know..you walk up to the car. Sir, what are you doing? I'm on my way...

Wait..and not to..grabbin' on you...

SA No, no that's fine.

..And he grabbed him like this.

Like you grab outta the car...

SA So Brown, reached, lean back.

(From 12:23 to 12:46 everyone talking over each other)

12:47

He already had his hand on his gun...

SA Uh huh.

...so it was already in the holster, so all he had to do was flip the holster.

SA Yeah.

So, then you shoot him the first time. So, by her being out there, probably when she heard the first one, you know..we goin'...

..Like I say..

(and talking over each other).

SA I'm not...first of all...you did nothing... no you're good. You did nothing wrong.

Right.

SA So, we are not, we just trying to collect facts.

Yeah. I tryin'...

SA And we need people like you as a witness. ..that actually saw this.

They have to give the facts.

SA Yeah.

They have to...

SA Well..

I'm talkin' about like a roach in a crack. 'Cause...right now we are so united. Nobody gonna wanna to talk to nobody.

SA Right.

Right now, we..this is, the time. 'Cause they have more authority than our city, is County Police. See they have to answer to them now. You understand what I'm sayin'? That's why I say to get this burden off of your heart, let them know. 'Cause that's how this right here, this is how we gonna get our justice. This is justice. This is just not a black and...black thing. This is a black and white thing.

SA We need you out there talking to the people.

If you look at..(UI)..this..I been preaching since my niece came back home the day that it happened. I get tired of it. It's not just here. It's all around. But this is where it can start. This is the heart. So, open it up. 'Cause this eatin' you more than it's eatin' anybody else.

SA Um, I- I didn't get your name, I'm sorry.

SA Ok.

SA I don't mean to be rude, and don't take this the wrong way.

Oh I will not.

SA But um... can we just talk to ...

Of course.

SA Ok.

I just was tryin' to get...

SA Yeah no, no. (people talking over)..you're..you're. very influential.

(UI)...then comin' here to talk to me.

SA Ok, I appreciate that. Yeah.

SA No, you need to be the voice out there, 'cause I'm tellin' you...

[illegible]

SA Yeah, there's people that are gonna get people stirred up.

You know what, they have (UI) and all that, I'm not a..mm..you know.

SA Ok, so she was explaining that-that he went up and parked in front, or you can show...

When he pulled back...

SA Brown went up.

They pulled back, he grabbed him.

SA The officer did?

SA And he pulled back...

The officer.

SA ..he pulled back like this?

And he pulled back like..

SA	Brown did?
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
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92	92
93	93
94	94
95	95
96	96
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98	98
99	99
100	100

What? You know, I didn't do anything, what-what's going on? Slammed his hand, and like I said, once..I guess once he flung his hand, that's when the first shot rung off and it hit him.

SA Ok.

And he turnt around, he was gonna try to make a run. Second shot. Don't know where it hit him...

SA Yeah.

...but it hit him. That's when he turnt around like 'I give up'.

SA How...what was the distance at that point?

Right there by...when he gave up, he was right there by where...the...the teddy bear is.

SA Would it be like from that wall to that wall...or what...like how...how far? I don't know. 'Cause...

I'm by the dumpster. He ran like right there where that pole, where all those teddy bears and stuff at.

SA Uh huh.

...and that's where he turned around and was going back towards the police...defend...to give up.

SA Could you hear what was being said?

SA Do...

No, I could not, but I...

SA Can't hear anybody yellin' back and...

No.

SA ...forth, either way.

No. No.

SA Do you remember, I know it's hard lookin' at the map, and...I don't know if you're...inclined to do this, but we could walk out there to the dumpster to-to-to just to look at what you...

No, I don't need walk over there.

SA That's-that's fine. That's fine. That's alright, we'll try to do this map here. So, again, this is where you said you were standing here.

Uh huh.

SA And this is can you point...and this is the apartment building right across from us.

Ok.

SA Can you point...here and you can-you can...

Whatever...

SA ...you can use this..

...the pole...

SA Yeah.

...he stopped.

SA Alright, tell me where the cop car stopped. When...

He stopped like...

SA You can draw a box on there.

Ok. Wherev..the little street..it's like..right there by that pole, like it's not far...like a little inch away from that pole.

SA Ok.

That's where he pulled.

SA Ok.

And...

SA And so...

SA And his driver's side. He was going this way?

This way.

SA Ok, so if you can..we'll do this..we'll draw that..

SA So. Well hold on a second..correct me if I'm wrong here. But this is the road you were talkin' about right? This street?

This-this... Copper Creek.

SA Ok. So was he right there, blocking that?

No. He go up the-the...

SA Alright.

...cop...it wasn't even all the way blocked.

SA Alright so...

 ..it go up..

SA ...maybe right here? Right here?

 ...lil bit in front of that apartment there.

SA And draw it like an arrow...

SA Ok.

SA ...which way the car was going. Like put the (UI)

SA Alright, so would that be accurate?

 Yes.

SA Ok. Um, and then you were right here by this dumpster?

 By that dumpster.

SA Ok. Um, were you able to from your vantage point see through the car,
and kinda what was going on...

 No.

SA ...at the neck level?

 No.

SA Ok. Um, ok so, did you see...you..but you saw him grab him?

 I seen him when he grabbed him.

SA Ok, so you were able to see through the car?

 I mean...

SA ..,at some point?

 ...when..when he..when his arm went out the window and grabbed
him...

SA Yeah.

 ...and he..tugged back. That's what's all I was abl..I was to see.

SA Ok. You didn't really see the-the verbal exchange, or...

 No.

SA Some-some hands...

SA 'Cause he said it was a Tahoe or something, it was truck. A sport utility?
Yeah.

SA Is that what it was?

SA Yeah.

SA Ok.

SA Did-did the sport utility police officer car have uh, was it tinted at all?
Yeah, I think so.

SA Was it tinted? Ok. Um, alright so let's walk now, after-after Brown ...
....tugged away.

SA ...tugged away.
The first shot hit him.

SA Ok, the first time..do you have an idea where that coulda been, or...
I wanna say, it coulda been like fer..like up in his..upper chest part.

SA But you're not sure?
Right, I'm not sure.

SA Ok.
I didn't know I, when he turnt around, I know I seen a spot on him;
knew that he was hit; and then the second shot rung off.

SA Ok. And so...
Where the second shot hit him, I

SA Right.
...couldn't tell you.

SA When he was shot the first time, the...was it..was the officer in the car
or out of the car?
He was in the car when he shot him the first time.

SA Ok.
He had never even got out the car.

SA Did you...I know obviously you heard it, did you see the muzzle blast?
Like the red and smoke and all that?

No.

SA No.

Uh...

SA That's ok, I'm asking all these questions.

Yeah.

SA Ok, so after the first shot, you know, what did Brown do?

He...

SA Which way did he run?

He-he was-he was fittin' to try to run this way. Like I say he stopped...

SA Ok.

...right there by that pole...where them bears and stuff at.

SA K, where's the pole? The, by the bear, its...so it'd be right here. So, he went around the SUV car, going this way...

Right.

SA ...almost towards you.

...towards..right...

SA Ok...

...like he was running towards my way.

SA Ok. And then he..so he got to this telephone pole, and then what happened?

He stopped.

SA K.

And that's when his arms went up and he turnt around, and he was walkin' back towards the police.

SA Ok.

And's..I..

SA You still didn't hear anything?

...and..but..I heard him say 'I give up'. I know I heard him say that... 'I give up'.

SA And so, um, you were still in the same place. 'Cause you said you were scared...a second gun...

Act...I was scared...I had ran like towards like...at the bottom of...on...of these little sidewalks. I ran and stopped right there.

SA Ok. So you went from the dumpster...

...So...

SA ...to the sidewalk...

...and ran...

SA ...right here.

...to the sidewalk.

SA Did you take a video of it or a picture...

I couldn't...I was so shook up.

SA 'Cause a lot of people do. So I was wondering that.

I...got...pictures after the fact.

SA Yeah.

I don't have the pictures...

SA During.

...During...

SA Right.

...the thing. 'Cause I was so shook up.

SA Yeah.

And if I could have, trust me, I would have.

SA Yeah.

SA Yeah.

'Cause...that was...ridiculous.

SA It's a lot to think about.

SA Yeah.

Yes, it is.

That's happen in the car.

SA K. When did the second shot happen then?

When he turnt around and fittin' try to run.

SA Ok, that's the second shot, and then...

Then when he turned back around with his hands up, to go back towards the police, that's...go...third, fourth, fifth, sixth shot.

SA Ok. Did uh...where...fro..so Brown's at the...the pole, walking back towards the officer's car.

(UI)

SA Was the cop behind his car at the time, you think? How close was he? Can you describe his actions?

Uh...I wanna say he was like...damn near behind or on the side of...

SA Ok...

...the car.

SA Ok.

Like I say it..right now, it's crazy...its...

SA That's...

...kinda...

SA You're...

SA Well, and the...

SA ...doing a great job.

SA ...and the more you talk to people about it, unfortunately the-the more it might...

Yeah.

SA ...start to change or confuse you a little bit too. So I...I mean it gets...it gets harder all the time.

Yeah, it-it , get hard, but, I mean, he was like, he was right there in visible sight where...he was right there...not that far from his car.

SA Ok. Uh, any idea where Dorian was at this time?

He was still on the side of the car, but he got up and he did run off.

SA Now, where...

 ...'cause he look...

SA ...was the Monte Carlo at?

 I wanna say it was on...

SA Look on here though.

 ..this..

SA So it was in this parking lot by the dumpster?

 No.

SA No?

 It was on this side, on the on like on Canfield.

SA Was it on the street?

 Yeah.

SA Ok. So..

 It was on Canfield...

SA ...he hid behind a car parked on the street...

SA Ok.

 He's on the street.

SA Ok.

SA Do you know...and did you see him hidin' behind the Monte?

 He hid..and then after that, I didn't see him no more.

SA Was the Monte...

 That's right after he had...

SA ...he took off?

 Yeah.

SA Was the Monte on this side of Canfield or this side?

 It was on this side.

SA It was on this side. Can you kinda point to where you think he hid...where it was...was it...was it side by side with the cop car or was it up?

It was up.

SA Ok. Would it be safe to say like...maybe this area?

Yeah.

SA Alright.

(talking to children) She's outside. She'll be back in, go back in the room ok?

SA Alright.

(talking to children). I..yeah..I'm..Imma gonna have her to come back in, ok?

SA Ok, um...ok..did Mr. Brown...once the cop and Brown started to uh...increase...or decrease the difference between themselves and ...and..uh..did the officer just..as he was walking, what did he do? Did he just shoot his gun?

Yeah. Yeah.

SA Ok. Um...was Mr. Brown ever on his knees, or was he standing up?

He...when he finally got...when he finally fell down on his knees, the last shot. That was the last shot.

SA Uh huh.

And he fell.

SA Ok.

And...that was it.

SA What happened...

SA So the last shot, then he fell, so...

And then the pol...I say the police, he got down, and he checked his pulse. And he got up. And he walked away.

SA Did he...but the last...the last shot fired was when Mr. Brown was still standing?

Yeah, but he was like...like...barely... fallin' like all on his knees.

SA Uh huh.

SA Yeah.

 So...

SA Yeah.

 So, the police like I say, he got down and he checked his pulse. Got up, and he-he walked away.

SA And you were um, did you-did you never run inside, were you outside the whole time?

 I was outside the whole time.

SA Ok. Ok. Um...

 I just...when...after the act, I ran and I stood right here on the...on the sidewalk.

SA What uh...can you describe the actions after Brown went down and the cop checked the pulse. Did the other cop get out the door?

 He...I...he got out the car but I..like I say...never got a good look at him, at all.

SA Yeah. Ok. Um...

SA Where did you go right after that?

 I stood, I, came and stood right here. I was too shook up.

SA You stayed at the building downstairs?

 Yeah, I stood right there on the sidewalk. I was just too shook up about it, so, I never went up.

SA Ok.

SA , can I...where do you live? What's your address?

SA And before I forget, can I get a cell phone number for you just in case we have a follow up..

SA ...which I'm sure we will.

SA How do you pronounce your first name?

SA Ok.

SA believe.

Uh,

SA Oh ok. I was like...knew I was gettin' that wrong.

SA

SA Ok.

SA Ok. Uh, anything else that we need to know about?

No, that's...

SA Anyone else you think might be willing to talk to us about what they saw...

SA That haven't..that...

SA ...that you know is out there?

No. I...no I really don't.

SA Ok.

I'm basically like like I say, I was just ran through.

SA Yeah.

SA Uh huh.

SA Yeah.

And , yeah this kinda been botherin' me for awhile, so...

SA Yeah.

SA Uh huh.

Like I say, I just didn't..feel comfortable talkin', don't know what..I'm mean...but...it's just crazy.

SA Yeah.

SA But if people don't talk...

Oh...

SA ...they will never have the truth.

...never has this tru...right...

SA Uh huh.

Well, I feel a little better.

SA Yeah.

A little better. Just..just want justice.

SA Yeah. What...I don't know if I asked you this, but what were you comin' over here for?

Act...like I say...

SA Yeah.

I was comin' through. And I stay right on

SA Yeah.

So I sometimes come through this way. And like I say..I know a couple of people's in..and the little neighbor, she was downstairs at a BBQ, and..

SA Uh huh.

...I asked for a cigarette or whatever, so...

SA Ok.

And we were just out there talking.

SA Yeah.

It wasn't nothin' like...

SA So what drew your attention? Like, I mean, 'cause if you were, if you were talkin', I mean like, did you hear...the tires screech...did you hear yelling? I mean, what-what made you look over there? Was it...

No, actually...

SA ...other people over there...

...the gunshot is what made me really look, for real...but just to see that the police was just...messin' with them...

SA Uh huh.

....for no reason?

SA Ok. So you just kinda were lookin' that direction...

Lookin'...

SA ...still kinda like casually seeing...

...I was just lookin' like..just casually, just lookin'..I mean, I wasn't like I was just out here, just waitin' on somethin' to happen.

SA Yeah.

That's not..I'm not..that's somethin' I don't do.

SA Pyschic.

Right.

SA Uh huh.

But...it was just..happened just so quick, and so fast.

SA Uh huh.

SA What...um...you said that they lady you were havin' a cigarette with...do you know her name?

No, I don't. She stay down on the bottom left.

SA The very very bottom?

Very very bottom.

SA Ok, on this one or on this one?

This one, I think.

SA The far one, ok.

SA Yeah if you were walkin' up to the building...

Yeah, you'll go down and then you'll go to your...left.

SA Ok.

SA Ok.

SA Um...just real quick. I just wanna make sure we have everything. So that morning, can you just...bear with me here...can you run through that morning? Even bef...well like when you woke up? Can you tell me kinda what you did, and breakfast, kids, job?

Actually I was comin' from the store.

SA At...at what time? You think?

Um, it was like about, it was like twelve.

SA Ok.

It-it been about-about twelve-ish, or so...

SA Um, just in case if we have more questions, we'll probably call ya, if that's ok with you.

That's fine.

SA Yeah.

That's fine.

SA Ok.

SA And then, let me give you this. This is kind of what we're givin' everyone.

Ok.

SA ...if they have any questions.

Ok.

SA So..

SA But we..we're not the..the case agents on this civil rights case.

I understand.

SA ...but we're here..as a huge group of us out here.

...huge...

SA So, it might be someone else that reaches out to you, um, if they have some follow up questions, and we're gonna, like you see, we've got it recorded so we don't misunderstand anything, and you know...(UI)

SA Yeah, and if you don't mind, could you just initial right here and put the date. Today is 8-16...

Can I get a card?

SA I'm sorry?

Can I get a card? I got an uncle that's probably got a lot of footage...but he.. I know..he-he's..

SA This is...

...he's not gonna wanna talk to nobody.

SA Yeah.

He's not gonna talk at all...like he...

SA Can we not meet him somewhere else, out and about? Somewhere private, or...

SA

SA

SA

SA

SA

SA

SA

SA

SA

SA

SA

SA

SA

33

SA Because it's...you know...once people see what happened, whether it's this way or this way, the video's gonna show it...
...show..yeah...

SA That will get people to kinda get back...
...but he didn't tell you (UI)..

SA ..into the reality of what..
...if he give the video out or somethin'...

SA ...is what's important.
...he like, he words or anything gonna be twisted around or somethin' like he just...

SA Well, not if he has a video.
...feel like it's gonna be...

SA ...It's just the video.
..yeah.
The video gonna show...

SA That's all we're...

SA The video will stand on its own.

SA Yeah, the video stands on its own. And he doesn't even have to...I mean..they..doesn't even..doesn't even have to be attributed to him. The fact that there's a video, it is what it is.

SA Yeah.
Oh.

SA Um, that would be...hugely important if we could get that.

SA Oh it would be ridiculously important.

SA I mean..that'll-that'll-that'll...

SA So. Yeah.

SA ...solve a lot of questions, you know...answer a lot of questions for us.
Ok.

SA Yeah...

SA I'm sorry, and do you live here?

Um, no. My girlfriend lives here.

SA Ok. What's your...what's your name if you don't mind me asking.

You all through with me?

SA What is it?

SA Huh? Yes. Yes.

SA

U Come on!

SA We're finished. We're done.

U Oh not you.

SA Oh ok. Ok.

(v each other).

SA That way I know who it is. And is there a number I can call you back to see if you got a hold of him?

SA Uh huh.

SA

SA Yeah, that would be, that would be enormous if we could get a copy of that from them. Or get his...we can...we actually have people close by that if he brought us the...that...his ipad, we could copy it immediately and give him his ipad right back, if he doesn't want to relinquish it. We've got people down the street that can do that for us.

I..he said he signed some type of contract with them where he can't...

SA Oh with ABC?

SA It doesn't matter.

...somebody else. Yeah.

SA Yeah, but this is all law enforcement evidence and I mean, his contract can still be valid with them, but...

SA 'Cause we're not gonna release the video.

SA Yeah.

SA I mean ours is investigational, we don't answer to the media, we don't- we don't release them things because that just distorts everything. Because the media's gonna put on what they want, and parts that they want. And that's why things get the way they are, because the media doesn't give the whole truth.

Ok.

SA They only give parts of it.

(someone talking in background as well)

SA And it's unfortunate because then there's, you know, the city's being destroyed because people don't know the truth, you know. So yeah, if you could. ? I like your name.

Thanks.

SA Um, that would be great, if you could, if you could check. And we'll follow up with you later today, is that ok?

(people talking over each other)

SA Ok, you know what. Why don't I give you that-that card you got, I'm just gonna give them my call sign and have 'em call the main number...

SA Yeah.

SA ... and then reach out to me. K, this is gonna just, he can call, what's our main number?

SA

SA If he calls this number, and ask them to patch him through to they'll patch it through to me.

Uh huh.

SA And I will, uh, I'll talk to him, I'll meet him wherever he wants to meet. And we can get it downloaded.

(radio traffic)

SA That-that would be really really a big deal.

Okay.

SA

Alright, thank you.

SA

Thank you very much for (UI)

SA

Uh, this is, uh Special Agent
Complete with interviews at

Special Agent

11:23 a.m.

August 15, 2014
2:33 p.m.
Detective _____,
St. Louis County Police Department
Bureau of Crimes Against Persons

Det.

SA

Unintelligible - UI

DET. This is Detective _____ with the Saint Louis County Police Department's Bureau of Crimes Against Persons, _____. Today is Friday, August 15th, 2014, and the time is 2:33 p.m. I'm here at the St. Louis City NAACP offices in a conference room. Also present is _____ of the U.S. Attorney's Office, _____ with the Justice Department, and _____ with the FBI. And a, in addition to those mentioned ma'am would you say your name for the recorder, please?

: My name is

DET. Ok, and can you spell your first name:

DET. Alright, and your last name is

:

DET. : Ok, and _____ what is your date of birth?

:

DET. : Ok, and your home address?

DET. : Ok, is that an apartment or a house?

A house.

DET. Ok, and your cell phone?

:

DET. : Ok, and then a, a not to jump forward but, did-did you have a conversation about meeting with investigators on this case with ?

: Yes sir.

DET. : Ok, what did that conversation consist of?

: He told me that he need to talk to me with you all and to state what I seen and I told him I was scared because I've been gettin' a lot of calls that's threatening me and only thing, I don't even know these people. I don't stay, I used to live in Ferguson, I have a cousin live in Ferguson I go over and see him in them apartments.

DET. Ok.

It was just I guess I was at the wrong place at the wrong time...going to see my cousin, when I seen this a, happen.

DET. : Ok, so did a, let's-let's progress on then, so you said you saw this happen. A, you're making reference to a, the incident involving Michael Brown on a in Canfield Green, is that right? Ok. Um, you're okay talking about what happened, and you're okay explaining to us what a, what you saw?

: (Sniff).

DET. Ok. So you live correct?

: (Sigh).

DET. : Ok, so what prompted you to go to Canfield Green that day?

I was going to see my cousin and them, to take them somewhere.

DET. Who's your cousin?

:

DET. : And where does she live?

: In Canfield Apartments.

DET. : Ok, do you know where at?

:

DET. Do you know her address?

: Not off hand.

DET. Okay.

Which floor is she on?

: The second floor.

: Ok.

DET. And so you drove over there?

I drove...

DET. Or did you...

: ...I drove over there, first I stopped at Quik Trip. A, I stopped at Quik Trip to get me a, a slush and when I sss..., left Quik Trip I stopped on over to her house and when I was pulling up to her from Quik Trip, the police was behind me so when I see a police behind me, I'm gonna tell you all, I got a warrant in St. Ann ok, so well it's for tickets. When I see a policemen like that behind me, you gonna pull over. So I pull over to let him go ahead do what he was doin' you know, and then I seen two young mens walking the street, they was walking in the middle of the street and I seen the police when he told them to get onto the side walk. And the young man's was talking to him and I seen the police (sighing) oh God, when he tried to I guess get one of the police, one of the kid in the car a, you know...he pulled up to the side of police, he was talking to him, I don't know what was said I was pulled like a car or two behind me.

SA : Was your um, window up or down?

: My windows was down and I have a sunroof top.

SA Um huh, was your sunroof open?

: Yes.

SA : Ok.

So when I said, seen him talking to the young mens I turned my radio down 'cause I had my radio, you know. And I turned my radio I said what are they doing with this little guys...

(Telephone ringing)

: ...theys walking, you know. And he stopped and he was talking to one...
to the boys and then he like one of the boys was walk, I don't even
know these boys, was walking in front. They was together and one of
'em was walking here and the police says somethin', I don't know what
he said to 'em and I seen the police try, he was tryin' to grab the boy.

SA : Um hun. Which way, I'm sorry to interrupt you, which way was the
police vehicle going and which way were the two boys walking?

: They was walking straight, with me.

SA : Um huh, east, west, you know which direction, were they walking
towards the apartments, away from the apartments?

Towards the apartments.

SA : Ok.

And.

SA : And which way was the police vehicle?

Going towards.

SA : Ok.

: Um.

DET. : Which way did you come into Canfield Green?

From Quik Trip way.

SA : Ok, so you were also going...

DET. So West Florissant, is that what you're saying?

SA : Ok.

: Um huh.

DET. So you would be, you would have been traveling east, right?

: Um huh.

DET. : And which way were the two, the two...

And the boys was walking to the apartments. They were walking to Canfield, walking down the street, I don't know if they was going to Canfield or where.

SA : So they were going in the same direction?

DET. : So they were walking in the same direction, or...

Right.

DET. : I'm sorry, would you clari...were they walking on the same direction or the opposite direction as what they way you were traveling?

: The same direction.

DET. Ok and the police car?

And the police car was coming, let me see I was coming this way and the police car was right up in the front of me.

DET. Traveling in the same direction as you?

Um huh.

DET. Or the opposite direction?

: I think it was the a, same direction.

DET. Ok, so the police car is traveling in the same direction as you. The boys are traveling in the same direction as you and you are traveling from West Florissant onto...

: Right.

DET. : ...to Canfield...

'Cause we was like.

DET. : Is that, is that correct?

: Yeah, like this the police cars right here and my car, I pulled over, police was right here and there was another car and I when I seen the police I pull on this side. Police was going on up this a way. And the little boys was walking down, you know this way going to the apartments.

SA Ma'am this-this will probably be easier. Quik Trip is at the end of the street here.

: Quik Trip is right here.

SA Um huh.

We gonna say Quik Trip right here.

SA Um huh.

: Ok, so I was going this a way in my head and the boys was going, theys going towards the apartment complex. And when I seen the police, I pulled over to the you know, the sideways and let the other cars went by.

SA : Could you draw on the map where you pulled over?

No, I ain't no good drawer.

SA : A, neither am I so, don't worry.

Ok, we say Quik Trip right here, ok. (drawing)

SA Ok.

And I was pulled out of Quik Trip.

SA Um huh.

: This the back, this is the front of West Florissant here. That's the back of West Florissant.

SA : Um huh.

I mean the back of Canfield, you know what I'm sayin'.

SA Um huh.

: The back of Quik Trip so I was going this a way.

SA : Um huh.

And I seen the boys, they was like here the apartment complex, right here.

SA Well here's the, sorry, here's the a-apartment complex here.

: Well you goin' this a way.

SA : Canfield Green. Yes ma'am.

Right. And they was walking this way so I pull on up this way. I seen the police so I pull over to the side to let them, you know.

SA Where on um this is Canfield Drive here, where on Canfield Drive did you pull over?

I pull over on this side.

SA At this exact location? Or this approximate location?

Not approximate.

SA : Or was it further down here?

It was further down here. But I mean it was on that side.

SA Ok.

Ok, so I pulled over and the police was gone. And it was a couple cars ahead of me.

(Ding)

DET. Excuse me.

SA : (laughs) Ok so.

: It was a couple cars ahead of me. Like one or two cars. So I just parked right there 'cause I got on my cell phone.

SA : So this is where you parked?

Well, the apartments is right up in here.

SA : Um huh, ok so this is where you parked?

I parked right over here.

SA Ok, could you put a rectangle there, please? And it doesn't have to be precise, just where you think you were.

About right up in here, 'cause I was, let me see, right before you get to the back of the apartments.

SA Ok, this is probably. I think that's the back of...

And that's the apartment complex...

SA ...Canfield.

...right here, right?

SA Um, yes this whole area is Canfield Green.

Right.

SA : So I don't know, I don't know exactly where you were.

So I was coming down here.

SA : Um huh.

And I was about right-right about right there.

SA Ok.

'Cause I pulled over and I just sit there 'cause I had, somebody called me on the cell phone. So when I was on the phone, while I was watching the boys walk down the street.

SA ; Um huh.

You know, so when as I was watching the boys, walk down the street...

SA : I'm gonna make this a little darker, right here. Is that okay?

Um huh.

SA Is that, ok.

: ...and when I was watching the boys walk on down the street, I really wasn't, I don't even know these boys. I heard, I've seen 'em when they was talking to the police, and I thought it was just a friendly talk, I don't know. So next thing I seen the police (sigh) reach his gun out the car (crying) and I seen one boy run behind the police car (crying) on the side of the police car. Then I said to myself, Lord what's going on? (sniffing) By this time I start hearing gunshots, so I grabbed my wheel and I put my head down the wheel, and after I seen gunshot, I seen the police having to, I guess trying to get out the car, 'cause when he got out the car, he stand over the boy (Crying) and he started shootin' some more. So after the shootin' stopped I set up there and I looked and I started screamin' and I asked the policeman. I said can I check the boy? He told me to get the fuck on. I said to myself you ain't said nothin' but a word. I jumped in my car and I pulled off and I started hollerin'. (Crying) (Sighing) The only thing (Ohh), oh my eyelash is

gonna come off. (Sighs) (Sniffing). I don't think I was scared about, when I seen the boy getting' shot I put my head at the wheel. I did my head like this.

AUSA : Putting your head down in your arms, like covering....

Yeah.

DET. ...covering your head and your eyes.

Because, that bullet don't have no name on. I seen the one little boy trying to run, or walk real fast. I seen another little boy run behind the police car on the side of the police car and I said "what the hell is going on?" So I started callin' people on my cell phone and I told 'em somebody got shot. And they said who, I said a little boy got shot. And they said a little boy? Who little boy, I said I don't know these people, I'm out here and my cousin told me to leave. And I said I'm on my way to your house. So before I left to go her, I asked the police can I check the boy, He told me get the fuck on. To me, by a police you ain't said nothin' but a word (laughs).

SA : Um huh.

So I jumped in my car, but I started hollerin' then people started comin' out the apartment complex. And everybody just started screamin' and stuff. I mean it, when I go to sleep at night, I hear gunshots. And then I think about what if that's my child, what would I had did, (crying) that's the only reason I told them I would speak up.

DET. Ma'am can you describe the actual, the actual shooting itself, what was the officer doing?

(Sniffing) The officer first had it was I guess trying to get out the doors, stuck his arm out the door well you know, but the officer did not have nobody in the car.

SA : So the officer was alone in his vehicle?

That's all I seen.

SA : Just the dri, driver?

The driver.

SA : Ok.

: Can we-can we back you up even further, so when you see, what's the first interaction that you see between the boys and the officer? Can you describe it for us?

: The boy was like...

: 'cause it's like...
...your cars right here.

: Ok.

And here's, this the police car and the boys right here. Ok?

DET. And by right here, you're demonstrating what?
This is the police car, ok?

SA : Um huh.

Right.

And the boys are right here.

DET. : And which way is the front of the car?

: So the boys are behind the car.

SA Which, yeah which ways, where's the driver sitting?
Right here. (Tapping on the table).

SA Ok.

: So the boys are next to the driver's.

They on the side, he told them to somehow I guess get on the side walk over there.

: Did you hear, did you hear him tell them that?

I heard one boy say somethin' about why we gotta get on the side walk or something.

: So, let me ask you this, there are two boys, can you describe the difference, was there-was there a size difference between the two boys? Was one bigger than the other?

Yeah.

: Ok, so can we talk about them as the bigger one and the then the smaller one? Did you, when we are distinguishing between which boy said what, could we call one of them the bigger one and one of them the smaller one. Will that help clarify it in your mind?

: Which one said what?

: Right. Yeah like if I, you said you heard one of them say something. Do you know whether it was the bigger one who said something or was it the smaller one?

It was the smaller one.

: Ok.

And I heard the one, one of 'em turned around, and he tried to run or walk fast or whatever and he turned around. It wasn't no running, he turned around and he raised his hand, I don't know what he said.

: Ok, let's back up a little 'cause I just want to see, if I can be clear about this.

(Sniffing)

: So the, so the boys are wal, are wa-walking next to the driver's side of the police car, is that right?

He told 'em to get out. Get guess, I guess he must have told 'em to get on the side walk, or somethin'.

: Did you, did you actually hear the police officer voice, or you just guessing that-that's what you heard?

I heard a-a deep voice.

: Ok.

SA : At what point did you turn your radio down? 'Cause you said your radio...

I turned my radio down when I pulled from the poli, I mean when I turn on the street...

SA : Um huh.

....and seen the police. You can't-you can't ride in Ferguson with loud music.

SA Um huh.

You know that. Even if it ain't even loud, if the police can hear it they will stop you over there.

SA : Um huh.

I mean them, I don't care, it don't even have to be loud. If they hear mu-music and a person drivin'. You will get stopped.

SA : Um huh.

: Plus if you ain't got your belt on.

SA : Ok.

And I didn't have that safety belt on. That's what made me scared.

SA So you turned your music down before you parked your vehicle?

Yes.

SA : Ok and what kind of vehicle is it, that you drive?

A .

SA : Ok, what color?

Burgandy.

SA : Bur, ok.

: So, you hear the, the police officer, you heard a deep voice, and then that's when you turned your radio down?

No, I turned it before.

: You turned it-you turned down ...okay then you get then, once you hear the deep voice, what a-what a you hear next?

I heard the boys and the policeman talking. (Sniffing)

: Um, do you remember which boy was talking, or if both boys talking?

I can't tell you, I don't know.

: And then, and that's fine, totally fine. A were gonna ask questions that you might not have an answer to.

: Alright, 'cause I don't know which one, you know.

: And that's totally fine, were just gonna keep at, we-we like to ask little detailed questions to see how many details we can get. But the same if you don't know, if you don't know something that's fine as long as it's the truth, ok? So what's, so after you....

I know I seen one run behind on the side of the police car. And that's a darker black guy.

: Ok, was it the smaller one or the bigger one?

The smaller one.

: Ok, so what was happening between the bigger one and police officer?

I seen him had his hands like this.

: You, you're showing he had his hands up in the air?

Right and I heard him saying something and what he, I can't really, I'm not gonna lie, I cannot really make out what was he sayin'. You know to the police. But it wasn't, I couldn't hear.

: Ok.

But I really wasn't, you know paying attention. I know it was some, I don't got nothin' or I don't have nothing or what we'd do, or somethin'. It was something, you know and I'm looking at stuff and I'm, by this, by before this even happened I wasn't even on my phone. I was trippin' off of what's going on with the police and this.

: 'Cause you were still behind the po, you were behind the police officer correct? 'Cause you had pulled over as soon as (UI).

I pulled over, the police man was in front of me.

: Right.

AUSA : Were you directly behind the police car or were there any cars between you.

Yes, it was two more cars.

AUSA In front of you?

That passed up, before me.

AUSA : Ok.

'Cause like I told you when I pulled over the police was gone and there was a couple cars more.

AUSA : Ok, and so you were, those two cars were behind the police car and you were behind those cars?

: Right.

AUSA : Ok.

(Ringing)

: So there, so it, so it was at a line then the police car was the first one on the line and your were the fourth car in the line?

Not the fourth, about the second, about the second or third.

: Well how many cars were between you and the police officer?

About one or two.

: Ok. So what did the police officer (UI).

And they went on wherever they had to go. 'Cause then the police was messin' with the boys.

: (UI)

A talkin' to the boys.

AUSA : The, the two cars in front of you went around and left and you were still there?

They was going in front, you know, in front of me.

AUSA : Um huh.

And I was back there, you know tryin' to let the police go, 'cause I don't want to get (laughs) caught with.

:

At the time that you're talking about, this interaction between the police and the boys, were there any cars between you and the police officer?

Yeah, I just told you that.

:

You just told me that, ok. So tell us what happened be-, um, what did the police officer do when the-when the bigger boy had his hands up and is asking about what he did or he didn't do anything?

Only thing I seen was the police shot several shots, I don't know how many, 'cause I put my head like this, on my wheel and then he got out the car and I said "oh my God, what's going on?" And he started shooting again.

:

Okay, so can I ask you questions about that? Before you put your head in your arms...

(Sniff).

:

...did you hear the shot or did you see him with a gun, can you describe what you, what you heard and saw?

(Sniff) (Deep breathe) (Sniff) Oh Jesus, help me. (Sniff) Aah, before what did you ask?

:

Before you put your head down, describe what you saw. 'Cause you said the police officer was still in car, is that right? You're shaking your head yes?

Yes ma'am.

:

Ok, did you see him do anything or did you just hear something?

I seen him tryin' to get out the car.

:

How was he tryin' to get out of the car?

Opening up his car door.

:

Ok, I know these seem like obvious details, but we weren't there so that's why I need you to take...

Right.

:

...the time, ok?

Right, and then I seen the police sticking his arm out the window.

: Like how did he stick his arm out, was it bent, was it straight.

Huh?

: Like did he have it, did he push his hands straight out, did he put his hand out, how did he put his hand out?

Like this.

: Straight out.

I got fat arms ok (laughs).

: An- and what was the boy doing when the police officer was went by?

One boy ran.

AUSA : Did you see where he went? Where did he run to?

I think he went on the side of the car.

AUSA : Of a different car?

Of the police car.

AUSA : He went to the other side of the police car?

Right.

AUSA : Do you think he ran around to the, like the passenger side of the police car?

Right.

AUSA : Ok.

Or the back of the police car.

AUSA : Alright.

: Did, did you see him do that, or you just (UI), are you just guessing based upon...

I seen him.

: Ok.

'Cause that's what made me scared, what the hell is going on?

: I see well then the police officer put his arm straight out on the window, what was he doing? Can you-can you, did you see, were you able to see what he's doing with his, with his hands or anything?

He had a gun in his hand.

: So when he put his hand straight out, he had a gun in his hand? Ok. And what was the bigger boy doing?

Well um, walking fast up the thing, up the hill, well-we call it the hill. But up the street.

: This was all before you put your hand in your, your arms, your head and your arms.

Um huh, when I heard gunshots, that's when I put my hand in my, between my arm.

: Ok, so right before...

I was taught when I was little, when you hear gunshots, get on the floor. (Laughs) You know 'cause I used to live in the city, off of

: Um huh.

...and so I was trained to if you hear a gunshot, get low, get to the ground. And since I was in the car first, all I did was put my head down and then I lift it back up when I start seeing , you know.

: Ok, so quick, I'm sorry that I keep going back to before you put your head down. But you see the police officer put his hand, arm out and you said he had a gun in his hand at that time? And you're shaking your head yes. So at this point you were describing that the-the boy, the bigger boy had his-his hands up.

Um huh.

: Is that right, is that what's going on? And you're shaking your head yes. And the only reason I keep saying this...

Oh, yes ma'am. I'm sorry.

: No you fine.

(Sniffs)

: So at that point, when did, when don't, when this was going on when did you, did anything else happen before you put your head in your hands?

I heard gunshots. That's when I put my head...

: Ok.

AUSA Did you see gunshots or did you just hear 'em?

I seen it.

AUSA : Ok, and what did you see? The police officer has his arms stuck straight out the window, with a gun in it and he and you see shots. About how many shots did you see?

I don't, I heard about two.

AUSA : Did you see those shots as well?

Yeah.

AUSA : Ok, and you said you her-you heard 'em, but you saw 'em also?

"Cause I seen the, a little boy, I don't know if he big, how old's the boy? Eighteen?

: I, we just want to know...

AUSA Well.

: ...what you really know.

AUSA : Yeah.

Ok.

AUSA : Let me, why don't we back up just, can you describe the two boys?

Black boys, um, one medium size well kinda small...one...

AUSA : Let's a, let's go with the small one. Can you describe his hair? Or his clothing?

Blue jeans, t-shirt, well he had blue jeans on. And they had, he got what you call them things in his, dread, dread.

: He had dreadlocks.

That's what you call 'em. A nappy hair, I call it.

(Laughs)

Dread locks, I call it nappy hair.

AUSA : Ok.

(Laughing)

AUSA And that's the smaller kid, the smaller boy?

Um huh.

AUSA : And what about the one who was bigger than him? Can you describe him and what he was wearing?

He had a white shirt on and I think there was, yeah he was baggin'.
Pants was baggin'.

AUSA : They were saggin'.

Yeah.

AUSA : Yeah, ok. What kind....

So.

AUSA ...what kind of pants, do you remember?

I'm tryin' to think, I think it was blue jean shorts, a blue jean pants.

AUSA : Ok.

I know it was the shorts or the pants, I know it.

AUSA : And how, a can you describe him? I mean we said he's bigger than the other one but...

He had, he was about-about my complexion or a little bit, the other one is darker than me.

AUSA : Um huh.

That's the one that ran behind the police car.

AUSA When he ran behind the police car, where did he go?

Oh on the side, on the police. Huh?

AUSA Do you know, do you know if he ran behind the police car? Or, or to the passenger side? You-you don't know which, where, where exactly he ran to?

I just, right.

AUSA : Alright.

I think it's on the side of the police car.

AUSA : When he went there, what did he do?

Went ducked.

AUSA Ducked down?

Um huh.

AUSA : Ok. From his vantage point there on the side of the police car where he ducked down, would he have had a-a vantage point of what was going on on the driver's side?

I guess, I don't know.

AUSA : Ok.

: We don't want you to guess on anything...

AUSA : Yeah, I don't want you to guess.

: ...so let us know at any point if you think your guessing don't guess, we just want to know what you know.

AUSA I'm just asking from the position he was in on the passenger side.

He did that when I get, when he started hearing shots.

AUSA : He ran.

He ran.

AUSA : Ok.

He ran on the side of the back of the police car.

: We need you to describe it, so he did-did he try to open the door? Did the door ope... did the police officer open the driver, the door?

Um huh.

: And then, did it-did it close, did he close it, like what happened that you said he tried?

He, let me think. That man was sittin' there in the police car. He was strugglin'.

: What makes you say that he was struggling?

Gettin' out the car.

: Like how was he struggling, was it he, hard for him to get out, was there...

Right hard for him to get out.

: ...How was it hard for him getting out?

I don't know.

: Like was it hard for him because he couldn't open the door all way, was it hard for him because he couldn't move.

Couldn't open the door all the way.

: Do you know what was blocking the door?

AUSA : You're shaking your head no?

Huh uh.

: Um, was the boy, was one or both of the boys standing there when he was trying to open the door?

: One of 'em was over here.

: When you say over here, you mean...

On this, over here, close to the police car.

: Ok.

And the other one was like, one of 'em is over here and one of 'em is up there in front, not directly in front, but you know.

: A little bit further ahead of him?
 In front of the, almost in front of the head lights?
 : Ok.
 DET. : Which one's in front of the head lights?
 The heavy set guy.
 DET. And the other guy is where? The smaller guy?
 : Closer to the passenger side. I mean not the passenger side, the driver's side.
 DET. : Ok, and what's the police officer doing at this point?
 He was stayin', he was talking to them a, I don't know what he was he was really saying.
 DET. : Ok. And what were the two, the two boys doing?
 One was there, and one was there.
 DET. : One was in front of the...
 Almost in front of the...
 DET. : ...the car.
 : ...he was in front of the car, but like, how can I say the driver's a headlights.
 DET. : Ok, and the, your saying...
 On the driver's side. And a...
 DET. The big one was right there, right?
 : Right, and the other one is all like on the side.
 DET. : Ok.
 : Um huh, and what?
 DET. : So what happens from that point?

The, when the driver man reached his arm out he had his gun.

DET. : Ok, so your saying the police officer had, with, is the driver, right?

Right.

DET. Ok, he had his gun?

And when he reached his gun out, this one, which is this man here...

DET. : Well and, and for the purposes of (UI).

...ran this a, way.

DET. : And-and for the purposes of (UI) I'm-I'm, I wanna stop you for a second, ok? For the purposes of the recording, ok and when you say and this one, you're talking about who? You said this one ran.

: This one.

The one with the nappy hair.

DET. The little one, ok.

(Laughs)

DET. : Let's talk about...

I'm sorry I just...

: Oh no that's fine.

DET. Let's talk about big one, little one, ok? So you said that big one...

I just call it nappy hair.

DET. The big one runs right?

The big one he didn't really, he went this a way.

DET : Ok, hold on let's, let's stop there, ok. Just let's clarify some stuff ok. The-the, let's talk about the little one first since that's what you talked about first. Ok, the little one is sitting or is standing by the driver's side door, is that correct?

Right and the police was talking to him.

He, a I guess he had his gun in his hand, I mean in his a lap holster before he try to get out the car.

DET. : Ok, and.

: Don't guess though.

Ok.

DET. : So.

I'm not guessing, I'm sorry.

: Alright.

DET. Now I understand. ..

: You just didn't see it.

DET. ...Ok so when you moved to the point where...

: I just didn't see the gun.

DET.you see, but you-you didn't see the gun at all or?

When he was tryin' to get out the car.

DET. Ok so and-and I'm not trying to a, I just want to a understand, ok?
What, at what point is the first time that you-you saw the gun or did you ever see the officer's gun?

: I seen the officer's...when I seen the officer's gun is when he had it out the window.

DET. : Ok, so he points the gun out what window?

The driver's side window.

DET. And where is he at at that point?

What you mean?

DET. Where's the officer at at that point? Is he sitting, is he sitting...

In the car.

DET. Ok, and where's the door?

Right there next to him.

DET. The doors open or closed?

It was closed.

DET. Ok, so the officer points the gun out, out the car window, right? Ok, and show me how he points it out the window.

: Just like that.

DET. Ok, and your just point it straight out, now you're saying you didn't know which hand, is that still....

Right.

DET. : ...it's that, that's correct ok. What direction is he pointing it at?

He's pointing towards that-that nappy headed guy.

DET. : Ok, and he's standing where again?

On the side of the car?

DET. Ok, about how far away is he standing?

From you to me. (Laughs)

DET. : And your, you guys are...

: Three feet.

DET. : Yeah...

Apart.

DET. Three feet.

: Yeah.

Um huh.

DET. : Can he reach out and touch the car?

Yeah, you can.

DET. : So he was close enough to reach out and touch the car?

Um huh.

DET. : And, I don't and if you don't know, it's, it's ok but is he standing right in front of the window, is he standing behind the window, is he standing in front of the window, where at in the car is he stand, on the passenger's side is he standing then?

Driver's side.

Driver.

DET. : Driver's side.

The driver's side window. He was not directly outside 'bout from where you at. I wish I can show you.

: So here, you want me.

No, come here.

What do you need me to do?

Ok, you get two over there, please. Ok, you talkin' to me right here. I'm a police officer now, ok.

DET. You're sitting in your car.

And I'm in my car and I'm talking to you. And you like right there and I'm right here and I don't know what you all was talkin' about.

Am I facing towards you?

Side ways to, well mostly, yeah right.

: This way or?

Like that.

: Like this?

Yeah, I'm talkin' to and you talkin' to me ok?

DET. : Ok.

Alright and then when you see me out, I don't know what you and him talkin' about.

: Um huh.
 But then I seen you do this.
 DET. : (UI).
 Pull a gun. A, and then you run this a way.
 : I run behind the vehicle.
 And the other went this was in front...
 DET. Ok, so the...
 But not the (UI).
 DET. : ...the shorter one you said runs this way which would have been behind
 the vehicle, right?
 But on the side of the door....
 DET. : On the side of the vehicle but towards the back of the vehicle?
 ...well I guess the, right (Sniffs).
 DET. : Which would have been which direction again?
 What you mean, which dire...?
 DET Well I just want to clarify which direction would he have ran if he was
 running towards the back of the vehicle.
 : Is that east?
 DET. : Would he have been running towards a...
 : The-the Quik Trip? Or running towards...
 DET. : Into the complex?
 : ...away from Quik Trip?
 DET. : Towards West Florissant and the Quik Trip? Or?
 Out towards the Quik Trip, right. You know the back of the, not you
 know what I'm sayin' the back of the police car...
 : Um huh.

...the side the police car.

Ok, so...

And the other guy was going front with...

DET. : Ok, and so the other guy, meaning the bigger guy right? Who originally you said was basically at the front of the-the police car, right?

: Right.

: By the head lamps.

DET Was...

: By your headlight.

DET. : Ok, was running where?

Was going towards the apartment complex.

DET. So he takes off and runs towards the apartment complex. And I don't know if we asked you this or not, but could you clarify, what kind of police car is this? Can you describe the car?

What you mean?

DET. : Would you describe the police car, please?

: Was it a truck, was it a car, was it?

It was a car.

: Was it white, was it blue.

DET. Ok, what is it. What did the car look like?

A white car.

DET. Ok, do you know what kind of car it was?

No, I don't, know cars.

DET. : Well I mean, you know a, you know police cars, right? Ok, can you as best as you can remember, tell me what that police car looked like?

A white car with the blue writin' on it, I think it's blue writin' on it. And it had the two head things up top. (Pause) It was the white car.

Was it a Charger? Was it an Impala.

I don't know.

AUSA Was it a big car or a small car?

Four door car.

AUSA : Four door, ok. And so he reaches his hand out with a, the police officer reaches his hand out the window with his gun in it, and you say that the smaller boy runs.

He ran behind.

AUSA : He ran behind. Did he run behind the car or to the passenger side of the car?

He ran this a way.

AUSA Like you have to say, was that to the back of the car?

Yeah.

AUSA : Or to the passenger side? Which, which one?

: I've seen him run this a way. 'Cause that's when I put my when...

AUSA : When you say this way, you're directing to the back of the car?

Um huh?

AUSA : And at that point you put your head down?

: No, I didn't put it down 'til I started hearing noise.

AUSA Ok, you heard, what did you hear?

Gunshots.

AUSA Did you see the shots as well?

I seen, yeah.

AUSA Ok.

:

AUSA :

AUSA :

AUSA :

AUSA :

AUSA :

AUSA :

AUSA :

AUSA :

AUSA :

When he was running, he was running...

: Away from the, police vehicle.

: Away from the police vehicle.

: Ok, so he was running away from the police vehicle and the police officer was shooting while he was running away from the...

The police shot two shots before he, when-when he started running.

: When he started running or was that...

Before when he start shootin' out the window. When the boy started runnin' he turned this a way.

DET. : Who's he?

The heavy guy.

DET. Ok, and you said he turned this way, meaning which way?

Towards the police and said I ain't got-I ain't-I ain't got nothin', or I ain't do nothin' or some old stuff he was saying to him.

: Ok, I'm, I'm still not quite sure when the police officer started shooting, where the big boy was....

The police started shootin' inside the car.

Right the policeman's inside the car, did he lean out of the car?

He lean, that's what I just told you.

: Ok, he just, I'm just tryin' to keep it straight. So he lean, the police officer leaned out of the car, where is the big...

I was gonna do that, but I didn't know what you...

DET. : That's fine.

...wanted me to use that paper.

: No, that's fine.

DET. This is the front of the car, ok. And the car's going, the car's facing...

Ok.

DET. ...this way, ok? And...

This is the front of the car ok?

DET. : Right.

: This is, this is the car, right here, right?

DET. Well, no.

: No, here, here's the car.

DET. : This is, this is.

Ok, this the front.

DET. : Hold on-hold on-hold on, just so let's clarify something, ok? Just so were on the same page. This whole thing is a car, right. The car is facing this way. This is the front of the car...

: Ok, this is the front of the car.

DET. : So this is, would be were the, were the driver would sit in the car.

Ok.

DET. : Ok, right there.

: Right.

DET. And so this would be the driver's side window right here, ok?

Now I bet you that's another restricted call.

(Phone ringing).

: Is it restricted, if it.

: It's North Carolina.

: Okay.

I don't know who that is. Ok, so the boy is right, the driver's right here , ok? The boy is right here.

DET. Ok.

: The boy is right by the vehicle.

Right. Like you was standing on the side of me. Ok.

:

Ok.

Now, the other boy is right here towards the.

Ok, um. This entire box...

Right, this the car.

:

...here is the car, ok.

This is the police right here, inside the car.

He's sitting in.

In the car.

:

Um huh.

Ok, this is the car, right?

:

Um huh, Um huh. The entire...

Right.

:

Rectangle, yep.

This is the boys, one boy was right here.

DET. :

Put an "X" for the, the one, the little boy is.

Little boy is right here. See he was.

DET.

Right, draw an "X" please, thank you. Alright.

Ok, and the other boy is right here towards the headlights.

Standing right beside him or beside the headlight.

Beside, by not too much, not too far away from him. Not too far you can't pass each other or somethin', you know like talk to each other. Give each other a hand shake or whatever.

:

You cannot.

Huh?

: You said you cannot, so they were far enough apart so they couldn't touch...

No I said- No I said they was not that far that they cannot touch each other or give yourself a hand shake or whatever.

Ok got you, so they could touch each other, ok.

Right, so you right here, you talkin' to the police officer right here in his car, right?

: Um huh, Um huh.

Ok, you...here my headlights right here.

: Um huh.

Ok, he's closer to the driver's headlights.

: Um huh.

The big guy, big man. And skinny man right here. A, raggly head. Ok, you talkin' with the police, I don't know what he told to him.

: Um huh.

: You know get on the side, whatever he told him, sidewalk or whatever, I don't know. Ok, then you seen this man here, with just a driver of the police car reach out his window. Now right here he's struggling in his car.

DET. : How's he struggling?

Tryin', getting' out. Well not really struggling, you know.

AUSA : What's-what's preventing him from getting out of the car. I mean it's not hard to open a car door and step out of your car.

Right, that's what I'm sayin'.

AUSA : So what-what was preventing him?

So, right here between this guy and the police. I don't know what they, he's close enough to the police that he can talk to him or hold the door or whatever. The raggly head one.

So you think he's hold...

AUSA : Did he-did he prevent him the, did he prevent the policeman from getting out of his car.

I don't remember seeing that, no.

AUSA : Okay, well what-what...

I'm seein' him right here at the police car door.

AUSA : Um huh.

Close to the door.

AUSA : Ok.

That I can touch your door and stop you from coming out.

: Um huh.

AUSA : Is that what happened?

I don't remember that.

AUSA : Ok.

I just seen 'em sittin' up talkin' with him.

AUSA : Um huh.

: And I'm lookin' what the hell going on? Ok then the policeman right here, which is you (laughs) reach out the car, the car window.

DET. Ok.

And you pulled your pistol or whatever you got, your rifle, whatever.

DET. : Well, which one was it?

: Well, what was it here?

Huh?

DET. : Which one was it?

It was a gun, it wasn't no rifle, nothin' like that. I'm just sayin', using a rifle 'cause that's what police carry in their car.

: Alright, let's talk about what, what happened here though, ok? So not...
 Ok, if you pulled out your pistol.
 AUSA : Ok.
 : You seen, they seen this, raggly head.
 AUSA : Ok.
 And he's running this a way. This one here is running this a way to the apartment complex.
 AUSA : Ok.
 Ok. Then well really he wadn't runnin', he was really walkin' real fast. This one here he hidin' back here.
 DET. : Back where?
 Behind on the side of your car.
 : So he would be back here?
 (UI) , you know.
 : Oh no, we don't, I know you say we know...
 Ok.
 : ...but we don't know that's why we need you to tell, show us.
 Ok, there go the raggly head one.
 : Um huh.
 And the other one is this front one. He did this, the policeman, which is you. Looked out the window, I mean out your door, ok. You aired your gun and started shootin'.
 : So this.
 I didn't hear nobody sayin' halt whatever you all...what's you suppose to say, somethin' like that.
 : So this-this person...
 : This big.

: ...is looking at the police officer when the police officer...

Big man.

: Puts his, uh huh.

(Throat clearing)

So big man runnin', comin' this way, walking real fast, this a way.

: Um huh.

: The police man right here, reached out the window and started firin'.

: Um huh.

When you hear one fire, I'm runnin'.

DET. Ok.

I don't care if you shoot five or six times, first one I'm running.

AUSA : And he, he's shooting at the bigger boy, whose running a, away from the front of the police car?

Right.

AUSA : And a does he shoot him in the back?

He shot him, let's see his back or was it his front?

: I mean at what point did you....

Wait a minute. 'Cause I'm trying to remember now. He shot him in the back.

AUSA Ok, he's running away from the police car...

And...

AUSA ...his back is turned to the policeman.

...yeah, he 'cause he, at least had to shot him twice because the boy turned, jumped.

AUSA : Like he was hit.

Like he was hit.

AUSA : And shot in the back?

Yeah.

AUSA : Ok.

And that's when he turned around and raised his hand up.

AUSA : Um huh.

And that's when the police got out and started shootin' again.

AUSA : How many more shots?

God knows, it had to be at least three or four more.

DET. : Ok, where was the police officer standing when he was shooting?

: The police got out his car.

DET. : Uh huh.

Now this young man here, runnin' right here. Now he's right here in front of your car.

DET. : In front of, how far...

Runnin'.

DET. : Hold on, how far in front of the police car, at this point?

Um, I don't know about, but ten, twenty, thirty.

DET. : Are you, I mean, you tell us. I mean.

At least, I don't know, I say about twenty or thirty feet.

DET. : Alright.

You know what I'm sayin'.

: We don't know what your sayin' 'cause we weren't really there.

Ok, you'll wadn't there.

: And if your, if you're not good at estimating distances, then don't, then tell us that. Ok, we don't want to put words in your mouth, we only want to know...

Ok, he was at least, I say had to be at least twenty-five to thirty feet. It's blocks that you can count and....

AUSA : So he's, so he's, he's shot in the back, he turns around, raises his hands and the police officer...

Really couldn't get out of the car...

AUSA : ..gets out of the car.

...and started shootin' again.

AUSA : Ok. And, and what happens then? What does the big boy do at that point?

The big boy fell down.

AUSA : Ok, then what happens?

Everybody start cryin' and I start screamin'.

AUSA : What did the police officer do at that point?

Came back this a way and everybody was lookin'. Some...

AUSA : Let me ask you, stop you there. Did the police officer fire any more shots after the big boy was down on the ground?

Yes.

AUSA : Ok, how many more?

At least three or four more. I didn't count, I, you know I was screamin', I was hollerin'.

AUSA Um huh.

And I know he heard me hollerin' 'cause he looked.

AUSA Ok.

And.

AUSA : So he fires three or four more shots, he's firing 'em at the big boy. After the big boy's laying on the ground.

Right.

AUSA : And is a, is the big boy face down? Or face up? Or how is he laying?

He's face down.

AUSA : Ok, so he's firing three or four more shots at the big boy as he's face down on the ground? Then the police officer, your saying goes back to his car?

He seen me, 'cause I was screaming and hollerin'.

AUSA : Um huh.

I was probably, I thought I was gonna get shot.

AUSA : Ok, now you said at one point, you-you saw the first few, you either heard or saw or both the first a two shots, from the police officer while he was still in the car, right?

Um huh.

AUSA : And then you put your head down in your arms and hid your head and your eyes, is that right? Ok, and for how long did you do that?

: For about a minute, I was scared 'cause I didn't know.

AUSA Um huh.

(Burps) Excuse me where the next bullets gonna come from?

AUSA Ok, so you, after the first two shots, you're hiding your, you put your-head down in your arms.

I got my head like this, where I could see it, you know.

AUSA Um huh.

You could still see, but you scared.

AUSA Ok, well earlier you said that you had covered your eyes.

Right I had my head like this.

: You.

AUSA : Ok, you covered your eyes?

But you can peek, you know what I'm sayin'.

AUSA : So you were peeking? Ok.

Right because see my mom told me to put your head down, a.

AUSA : Right, were you able to see the additional shots or just hear them?

I just heard 'em.

: So you didn't.

AUSA : You didn't see 'em.

: That's what we need, that's what's really important, ok? Because you just described this to us as though you saw it.

I saw when he got, when he shot the boy's layin' on the ground.

AUSA : Ok.

: We need to know which parts you saw and which parts you heard, alright?

Ok, when he was shootin' the boy after the boy was on the ground, yes I seen that but the other part, when I heard the first shot, I did my head like that.

DET. Describe the part where he was laying on the ground and the Officer shot him. You 'cause that's what you said you saw, right?

Right.

DET. Describe that part please?

The police got out the car, he stand over the boy, (crying) and he fired again.

DET. : How many times?

I don't know, it had to be at least three or four.

DET. Ok, and where was the officer shooting at?

Aaa, what part his body?

DET. Uh huh.

: Um huh.

: Aaa, (sniffs) I seen-I seen blood coming. Oh my makeup coming off too. I seen the boy laying there. So he must have hit him in, I know first shot must have been in his back. Because that's when the boy jumped.

DET. And when you sayin', I, I guess I'm, I'm asking you about when you said the, the boy was laying on the ground, right? And he was laying where? How was he laying?

: With his hands up.

DET. : Describe how he was laying, please.

Hands like that.

DET. : So, you just demonstrated your hands out, almost at up.

: Over your head.

DET. Forty-five degree angle?

Um huh.

DET. : Extended all the way out, and is he laying on his stomach or his back?

: Um, laying on this stomach.

DET. : Ok.

: Were his hands up, extended all the way out?

DET. This is what you did like this, right? Am I correct in saying that?

Not all the way out.

: Or like this? Like this? Like this?

: Shi...

Let me use, can I use you?

: Yeah.

Your hands like that, right.

: Like this.

: Right.

: Ok.

: Like 90 degree angles.

: Um huh.

: Ok.

: Going up.

AUSA : In-in any event you a the police officer fires three or four more shots into the big boy after he's laying on the ground, face down. And is, in he's shooting into his back. You said earlier, let's go ahead.

: The first shot was to had to be in his back because the boy was still, you, you know that's when he turned around.

: So he.

AUSA : He, I'm not talking about when he's still up and running away from the police officer, I'm talking about when he's down on the ground. When-when did you start to see blood. You mentioned you saw blood coming.

: When the police, I seen blood when the police was, when I got out and asked him "can I help the boy?" He told me to leave.

AUSA : This was after all the shots were fired?

: Um huh?

AUSA : And where did you see the blood coming from, on the big boy?

: It was, but what I only on the street.

AUSA : Where on his body was it coming from?

: It was coming from his head and it's coming from a his like his arm or his, and his back.

AUSA : Ok, where on the head?

: I seen one that's in the, right up in here.

AUSA : Where is up in here, you're describing?

The back of your head.

AUSA : The back of his head and from his back, he was bleeding?

: Then I seen.

AUSA Is, is that a yes?

Yes, sir.

AUSA : Ok. Now um, after the shooting stops, you said that you started to scream, the police officer started back towards his car?

He turned back to the car.

AUSA : And then what happens?

And then I asked, I got everything quiet, you know noise everybody was screamin' and hollerin' so since I seen a lot of people outside I asked the policeman "Can I go help him?" And he told me "F", get the "F" away from here.

AUSA : Ok, and is that when you left?

That's when I pulled on up in the complex.

AUSA : Alright.

And I started callin' my family.

AUSA : Can-can you describe the police officer. What did he look like?

Oh, he's not black. He's a white man.

AUSA : Um huh.

Aaa, gray, brownish grayish, different color eyes.

AUSA : Brownish, grayish eyes? Ok.

No black eyes, whatever.

AUSA : Oh, now, not, not whatever. Are were they, were they black, were they gray, or what color were his eyes, if you remember?

I don't really remember.

AUSA : Ok.

: And don't guess like we said, only tell us what you know.

AUSA : And what color was his hair?

Brownish color. Brown.

AUSA : Brownish? Is it like my color brown, dark brown?

Ut huh.

AUSA : Or light brown?

Light brown.

AUSA : Light brown hair, ok. A how was his haircut?

I really don't remember.

AUSA Ok.

I'm not gonna lie.

AUSA : No, that's I don't want you to lie. A was he wearing a police uniform? Can you describe that?

(Sighs) (Sniffs) (Crying) It's a light sky blue shirt.

AUSA : Sky blue shirt?

(Sniffs)

AUSA : Long sleeve shirt?

: I don't really.

AUSA Long sleeve or short sleeve.

I don't remember.

AUSA : Ok. Um, was he tall or short?

Taller than well, I ain't that tall.

AUSA Um huh.

But he taller than me.

AUSA : And how tall are you?

Five six.

AUSA : Ok, and how much taller than you was he?

I don't know.

AUSA : Ok.

I know he taller than me.

AUSA : Alright, two inches taller?

About, about.

AUSA : Four inches taller?

Couldn't be that much taller. About four inches taller.

AUSA : Ok and was he heavy set, was he bigger, was he smaller, thinner?

Stand up.

(Throat Clearing)

About a little bit, well you can't really tell with your uniform on.

AUSA : Ok.

Don't model now (laughs).

DET. : No I mean I want you to, you know, obviously I'm just giving you different vantage points.

Ok.

AUSA : If you had to describe his build, would you say it was a heavy build, a medium build, a thin build?

A medium build.

AUSA : Medium build?

: Um huh.

AUSA : Okay. Um, and so he tells you to get the Fuck out of there and you drive to the apartment complex, is that right? Ok?

I turn into the apartment complex.

AUSA Did you see anything else at the scene of where the big boy was laying or um, what the police officer was doing from after that?

I seen a lot of people out there. I seen somebody ran up to him. And the police wouldn't let them touch the bab, the little boy neither.

AUSA : Other policeman had arrived?

Other policeman start comin', no not right then and there. It took at least five or ten minutes.

AUSA Did you ever see the policeman that did the shooting leave, the area?

I don't know after that.

AUSA : Ok.

I pull over in the apartment complex and I start cryin' and I was afraid to get the hell away from over there.

AUSA : Ok

: Did you start cryin' or did you start calling people?

I was crying and I had my cell phone right here and I'm doing like this shaking (shaking sounds), and I was calling people and I was saying I just seen a boy got shot you all.

: Um huh. Who was it that you called?

Aaa, I called, who did I call? I was dialing um, I told

: Who' ?

A friend of mine.

: What's his last name?

Huh?

: What's his last name?

: Ok.

And then I start callin', who else did I call. I just start callin' people numbers that was on my phone. My girlfriend and stuff.

What's her name?

: What's her last name?

:

AUSA : For about what time of day was this that this happened?

About 2:30, about 2 or 2:30. Afternoon.

AUSA : Ok, you feel comfortable with 2 or 2:30?

Um huh, it had to be, it's somewhere 2:30 or 3 o'clock. I say 2:30.

AUSA : Ok.

: I'm comfortable.

AUSA : Could it have been earlier than that?

Huh uh.

AUSA No, okay. So it would have been at least 2:30 in the afternoon.

About 2:30 or 3.

AUSA : Ok, 2:30 or 3. And a, a...

And some man seen me. I seen some people in the apartment complex came out. I seen a, a (phone ringing), a maintenance man.

AUSA : I like your ring tone by the way. I need to get that.

(Laughs).

AUSA : Go ahead, you saw a maintenance man.

I seen two maintenance men looking at him.

(Music from her ring tone.)

AUSA : I tell you for the recording could you maybe, can you turn that off. Just so we make sure we can hear you. You saw the maintenance man and then what happened?

And the maintenance, I put it on vibrate. Maintenance man seen it and it was car that pulled like-like a truck and he was there watching it too.

AUSA : Um huh.

I seen a lady.

AUSA : This was after the shooting happened? Or during that?

During it.

AUSA : Ok.

I seen a old lady outside. I don't know who the hell she is. But a old lady was looking and I seen some girl hollerin' and she say, she "I got this, I got this you all, I got this on video." And I'm lookin' at her.

AUSA Did you ever see that video? Did she show it to you or did you see it?

Uh huh, I pulled away (laughs).

AUSA : Ok.

(Laughs)

AUSA : Um, did you ever see either of the boys you described reach into the police car, into the driver's side window of the police car?

Huh uh.

AUSA : Did you, specifically the bigger boy, did you see him reach into the police car at all?

Huh uh.

AUSA : Did you see his head or his upper body go into the police car at all? Is that a no?

No sir.

AUSA Ok, and then you say that a once after the, a or you say that a that the bigger boy was running away from the police car, at the front of the

police car. Did you ever see him turn and come back towards the police officer? Is that a no?

He turned around.

AUSA : He turned around and he had his hands up, you say right?

Um huh.

AUSA Did he ever move back towards the police officer?

Huh uh.

AUSA : Did he take any steps towards the police officer?

: No.

AUSA : Ok, um you mentioned that a, you at the Quik Trip. There was there at the Quik Trip, when was that?

Aaaa, the day, was it the next day after that happened? Or the day they start the riot, it's between them two days.

AUSA : Is that the night that the Quik Trip was burned?

The next day. I think it was the next day.

AUSA You were there the day after the Quik Trip burned? Is that yes? I'm just asking...

Yes sir.

AUSA : ...asking for-for the recording and just say yes or no. So the day after the Quik Trip burned you think is when you saw the reporter there. Now is that right?

Yes sir.

AUSA : And you lived

I live

AUSA Ok, so you, but you were there by the Quik Trip, the day after it burned.

: Uh huh.

AUSA What time of day was that?

Before 12 o'clock noon.

AUSA : Ok, so it was during the day, it was during the morning.

Uh huh.

AUSA : Of the day after the Quik Trip burned. And what were you doing there that day?

: Going over to Canfield.

AUSA : Ok, were-were you in your car when you....

: Uh huh.

AUSA : ... ? There was outside the Quik Trip?
And did you, you say you did, tell me what happened, you're on your way to the Canfield Apartments?

I was crying in the car and I was on my way over there. And I before after I went over to the Canfield Apartments.

AUSA : Ok.

And.

AUSA : But tell me how you . You're in your car, you're headed to the apartments...

I got out to park my car.

AUSA : Ok.

And that man that's right in front of (tapping), that man, here's Quik Trip, ok?

AUSA : Uh huh.

Right next to Quik Trip is a auto-auto-auto body shop...

AUSA : Ok.

You know connect, you know.

: (UI)

...in the driveway of Quik Trip and the auto body. He fixed my light in my window.

AUSA : Ok.

And that's when the news reporters was there.

AUSA : And that's why you were getting your light fixed on your car?

I was pullin' up there, getting' it fixed.

AUSA : Ok.

And I was talkin' some lady walked passed, she said hey

AUSA Uh huh.

: Was I there? And I told him yes, I just don't want to talk about it you all, just don't feel like discussing things like that.

AUSA : Ok.

: So the man fixed my thing on my car. He did it free too. (Laughs) But he did fix my car. And that's when asked me can they talk to me? And I told 'em I really do not like to discuss stuff like this, you know I, and they told me they won't tell nobody. And some black guy walked up there and he heard me too, tellin' them. And another lady, I don't know who they was and they heard me tellin'.

AUSA Sounds like you've gotten a lot of pressure from people, are their people calling you or there that day to come forward and, and tell the story.

Uh huh.

AUSA : Is that right?

: One person called me, I don't know how they got my . And they told me they got my

AUSA : Uh huh.

And you be over in Canfield Apartment a lot. And I told 'em yeah I go over there all the time.

AUSA : Uh huh.

And they say, you seen what happened, why don't you tell? And I told 'em I just don't want to get involved.

AUSA : But you've had a lot, a lot of people telling you that you should come forward and tell-tell us what you told us?

: Uh huh. And then it was a.

AUSA Is that, is that yes?

Yes sir.

AUSA : Ok.

I talked to, I called a , my pastor and told him.

AUSA : Uh huh.

And he said, why don't you tell somebody. I said I'm scared. And I said I don't want to get involved because I live... . I see policemen all the time.

AUSA Ok. Um.

And I don't want to..

AUSA : Is there any of, we've gone for quite awhile is there anything you want to correct about your statement here today?

: That the boy, I don't remem, I think I know he was runnin', I know, not runnin', but walking real fast or running in front of the apartment complex. I'm tryin' to real, really remember how the police looked. I know he's white, he got short hair, but I'm tryin' to remember what color was his eyes.

: Well ok, while you're thinking back, can I just ask you more about, the gun for second and when the shooting happened? You said two different things early on, because we've been through this a lot. At one point you said he had his hand extended out and at one point you, you said something about the gun being on the window of the car, by the car? Did I miss understand you?

No, I didn't say nothin'. No.

: Ok, so the gun was all the way out, is that right?

Right, that's it. I didn't say nothin' about a window. I said...

:

Maybe I'm just, I thought you said on the car?

:

No.

:

No.

(UI) I said his hand was reaching out the, car window.

:

Ok.

I didn't say on the window.

:

Is it.

DET. I think, I think you did.

:

I think you did.

:

I thought you said on the, yeah.

DET. :

Yeah.

:

Uh huh.

No his arm was reaching out the window.

:

So that's why I want to be really careful that we have it clear, the way you remember it, ok? And then I don't want you to assume something happened, I just want to know what you, what you saw in your own mind what you remember. So when you saw him put his gun out of the car, and you said you saw the shots being fired. So, so when you saw the shots being fired, where were the shots being fired toward? Do you actually remember seeing that? Or do you just remember hearing the shots?

:

I remember seeing, hearing, well I seen the shots. I seen one when the boy, I guess one of the shots 'cause he jumped.

:

I know that's already after the boy was running away, right?

Right?

:

And when you say you had jumped, I know you also said that you know he was shot in the back because he jumped. Did you actually see him

be shot, did you actually see him shot in the back or did you just assume he was shot in the back because he jumped?

Assume.

: Ok, before you said you actually saw him shot in the back, now there's a big difference between seeing shot in the back and assuming he was shot in the back.

Well like I was telling him. Because he was like that and when he jumped up, I mean you gonna think that's the back.

: I know that you're gonna think that he was shot in the back, which I understand that. But I want to know did you actually see him being shot in the back. The bullet go into his back? Did you see that with your own eyes?

I can't really remember.

: And that's fine, your allowed to not remember, but there's a, there's a difference between assuming and actually seeing it, ok. So that's what, that's-that's what we need to make sure, is clear, alright?

Uh huh.

: Ok, so when he first put the gun out the window, did you see the shots fired or did you just hear the shots fired?

I seen the shots fired. I seen one shot fired, that's when I ducked my head down.

: Ok, and then what-what and then when you hide your head down, you said you were peeking. When your...

I had my head down, it's just like you gonna. When you held your head down, your gonna do like that. But you extend, you know what I'm sayin'.

: We, we do but when, when you have your head down, you see you're like peaking up, is that correct?

: Right.

: So do you, or fully watching or you is your view a little bit obstructed?

Little obstructed.

: Ok, and so what you see at that point, and tell me if I'm wrong. You said you saw the bigger boy walking fast, sort of running away?

Uh huh.

: Is that right? And you said you saw the police officer at that point, he got out of the car, is that right? And your shaking your head yes?

Yes.

: And then you said, now when you were peaking, were you looking at the boy or were you looking at the police officer?

The police officer?

: Ok, and so your-your, you were not watching the boy the whole time, is that right?

I was, you could see the boy, but mostly I was watching the police officer.

: Ok, until you saw him shoot again, is that right?

: Uh huh?

: Yes, and then so at that time I know at this point, did you look over at the boy? Or were you just...

I looked at him when he jumped.

: Right ok, and so now when he jumped, did you actually see the bullet hit his back or did you assume he was hit in the back?

Like I just told you, I assumed it...

: Ok.

...hit him.

: And then you said you saw...

Or maybe, you know by him jumpin' like that.

: You, you assumed it was hit in back.

Right.

: Right. Did you actually see the bullet hit him in the back?

Did I what?

:

Did you actually see the bullet hit the boy in the back? With your own eyes or did you just assume it?

Assumed.

:

Ok, and when he turned around, were you watching, when you, well did you watch the boy turn around or were you watching the police officer?

I seen the boy turned around.

:

Ok, and do you know what the police officer was doing when the boy was turning around?

He was getting out the car.

:

Ok, so when-when the shots were fired that made the boy jump, was the police officer out of the car?

No, I told you the first shot the policecar...the policeman was in the car.

:

Ok, I so maybe I'm getting confused.

Didn't I tell you...

DET.

Say, say what you said again, just now. Say it just so I understand, please.

When I told you the first shot was fired, the policeman was in the car.

DET :

Ok.

And as the rest of the shots, that's when I ducked, not really ducked my head, put my head between my leg, as they say. And the rest of the shots I was really, peepin'.

:

Ok, let me ask you this? How many groups, I don't need numbers of shots, but how many groups of shots were there?

I know I heard two at first.

:

Ok.

And I just heard bang, bang, bang, but I didn't you know, or somethin'.

: And I know, I know this is rough 'cause we keep asking it over and over again, but were trying to make it, were trying to get a clear picture because we weren't there and it's our job to figure out what happened. And the only way we can figure out what happened is by people like you explaining to us the best that you can. And you're doing great, but there's a difference between assuming you saw stuff and actually seeing it, ok. And that's what we're tryin' to get clear. Ok. So when he shot, shot those first, those first shots, you said before that it was as the larger boy was toward, toward the front of the car by the headlight, is that right? And you're shaking your head yes?

Yes ma'am. Yes ma'am.

: And that's when you started to peek. Correct, you put your head down.

I put my head down after I heard the first shot.

: Ok. And then, at what point did you see the police officer get out of the car?

That's when I raised up a little bit and I seen the police like I told you, gettin' out the car.

: Ok, and what was the boy. At that point was the boy turned around or was he still running away.

He was goin' the opposite, in front.

: He was running away?

Yeah and the other boy ran behind.

: The bigger boy though, I want to focus on that because just before you said that, the cop didn't, the police officer didn't get out of the car until the boy turned around. But now you're saying, he got out of the car as he was running away.

Huh?

: See I'm, I'm confused so.

Didn't I just say when the boy, policeman shot the fire, right here, ok. Here's the policeman, he shot a fire right there, the little boy ran this away, when the police got a, seen the boy running there, the police got out of his car right there and got out and started firin' again.

: Ok, ok and then what did the boy do? What happened?

The boy hit the ground. When the boy hit the ground, I think it, I know there was two shots fired, then when the boy hit the flo, hit the ground, the police got out the, was already out the car, he started firing more at the boy.

: And the boy was already on the ground.

Yes.

AUSA : And the boy was bleeding from the back of his head and from his back.

: That's where I seen blood coming from.

DET. Can you describe where the police officer was standing in relation to the boy when he was on the ground?

What you mean?

DET. : Where was the police officer if, if the boy was laying on the ground right there, where was the police officer standing when he fired those shots?

How can I say? Like right where that chair is, to where she is.

DET. : And demonstrate what the police officer did, please.

(Burps) Excuse me. Ahh, oh my leg, the police was standing right here.

DET. Ok, and the boy is where?

And the boy is laying right where she is.

DET. : Ok, and where...

I mean not that close.

DET. Well how close then, what, how would it, what would it be?

From like your black board.

DET. Ok, and.

And me.

DET. Ok, so you're the police officer and the black board is a....

Right, just a little bit closer, you know.

DET. Well then, then please-please go to the correct distance of where it would be, ok?

Excuse me ma'am.

: Sure, sorry.

Like from right here, to the black board.

DET. : Ok.

AUSA : How far would you say that is? Just for the tape?

I don't know, about twenty, twenty-five, thirty feet?

DET. Ok, I wouldn't, I wouldn't necessarily give it that much are you, now are you backing up and.

: 'Bout back, back where she at.

DET. : Ok.

: I'm not good with (UI).

That's about thirty feet.

: Can we take a five minute break, all of us? Can we take a break, would that be fine?

I don't care.

Ok. Do you want to stop the tape, or you want to keep it runnin'?

DET : Aah, ma'm are you gonna step out?

Uh huh.

DET. : Ok.

You just told me.

: Yeah.

DET. I think.

: No, no you can stay, were gonna step out, (laughs) out.

Oh.

Yeah, why don't you, that's fine. We don't have much longer.

DET. I'm, I'm just gonna leave the tape runnin', ok? If you-you could just stay here, ok.

Ohhh.

(Walking)

DET. : I'm just gonna grab her bag.

(Background noises)

(Walking)

DET. Just a few more minutes, alright thank you.

(Walking)

DET. I, I don't know, but we'll be done in just a few minutes, ok, thank you.

(Walking)

(Door closes)

Ma'am, you ok.

(Sniffing) (Crying)

DET. : Ok, it's a 3:58 p.m.

I gotta go to work.

DET. : Ok, it's 3:58 p.m.

We'll, we'll be ending it.

DET. Now it's 3:59 p.m. at and all the individuals that were present in the room are back in the room now for the a...

AUSA : Yeah ma'm let me just ask you what I did before and we'll wrap this up. Is there anything, we, we've talked for quite a while now today, is there anything about yourself about your statement you'd like to change now, now that, you know were, were through with the statement.

: (Sniffs)

AUSA : You have to say yes or no.

Um, no.

AUSA : Is that no?

(Sniffs) (Crying).

AUSA : Ok, your, your satisfied that the statement you've given us today is accurate and there's nothing about it you'd like to change?

(Sighs)

AUSA Is that fair? You have to say yes or no.

Oh yeah.

AUSA : Ok, thank you.

I got a headache, I'll tell you that.

DET. : Ok, I understand.

And my.

DET. : Were, we'll be finished, I got one question for ya? How did you come into the complex again? You stopped at Quik Trip or is that right?

Huh?

DET. : Did you say you stopped at Quik Trip before you went to the apartment complex?

: Yeah.

DET. : Ok, and then how did you, how did you get in the complex from there?

The Quik Trip, the back, the whatever you call it, the back entrance.

DET. The back entrance.

The front, the front entrance. Quik Trip right here, West Florissant right here. West Florissant right here.

DET. : So you drove, you...

: Quik, so then the side street.

DET. : (UI) Quik Trip was on West Florissant.

: Yeah.

DET : And then down...

Yeah.

DET. : And then down Can, so West Florissant to Canfield. Is that how you went in?

Yeah.

DET. : Ok, alright, those were the only questions, I had. Ok, if there's nothing else, the time is 4:00 p.m. and this concludes the interview.

August 14, 2014

1:38 p.m.

Detective

Sergeant

St. Louis County Police Department

Detective = Det.

Sergeant = Sgt.

Unintelligible = UI

DET. This is Detective with the St. Louis County Police Department, uh, today's date is August 14, it is 1:38 p.m. With me is, uh, Sergeant and we are here in the presence of at her residence at I understand you were with your family on Saturday?

Yes.

DET. : Up on, uh, Canfield, can you can you tell me what you saw?

Um, we was pulling up on Canfield Drive, going into the Canfield Green Apartments and I seen a officer in his cruiser which was a SUV

DET. Ok.

And, uh, I seen a young man standing near the cruiser, you heard two shots fired.

DET. Uh hmm..

And then you seen him take off down the street.

DET. : Ok.

And then a police officer hopped out of his cruiser and started chasing him, the dude turned back around and started charging towards the police officer, the police officer told him to stop at least three times.

DET. Uh hmm.

And the boy wouldn't stop, he fired three rounds, the dude kept running, fired four more rounds, and then he finished off the rounds I guess, and he fell on the ground dead.

DET. Ok, so, um so you-you saw an SUV...

Uh hmm.

DET. : ...police car?

Uh hmm.

DET. How was that police car parked?

Um, like it was fittin' to turn into, um, the Canfield Green Apartments.

DET. Ok.

It was like not going, not coming away from West Florissant, but like facing towards it.

DET. Towards, it was facing West Florissant, like it was going to go there?

Yeah, but he was look like he was, like it was turned into the parking lot on Canfield.

DET. Ok.

Like he was fittin' go into the parking lot.

DET. : Right.

But, he stopped.

DET. : Ok and then where was, um, the-the other man standing?

Um, on the side where the sidewalk was.

DET. Ok, was he, how close to the police car was he?

Uh, he was pretty close to it and then you seen him take off running after you heard the first two shots.

DET. Ok, when you said he was close to the police car, was he close to the driver side or the passenger side?

I believe it was the driver side.

DET. : Ok, if you don't remember that's fine, just-just let me know.

I believe it was the driver side.

DET. Ok, uh, and then did you see the policeman? When-when he, when the other guy was standing, uh...

No, not until he got out of his cruiser.

DET. : Ok, did he get out of the passenger side, the driver side?

The driver side.

DET. : Ok, and then before the policeman got out of the car, how many shots did you hear?

Two.

DET. : Two shots, ok, and then what did that guy do, the-the other guy?
He took off running.

DET. Ok, did he run towards you or the other direction?
The opposite direction

DET. : Ok, and then-then what, what did-what did the policeman do after he started running?

Um, he got out of his cruiser and chased him.

DET. : Ok.
And, the guy turned around.

DET. : Ok.
And the police officer stopped.

DET. : Uh hmm.
Stopped running and the dude started running back towards the officer.

DET. Ok, how were his hands, the other guy?
He was just running like this.

DET. Ok, so just because we're on an audio recording, you have your hands up in fists and you kind of have them up...
Yeah...

DET. : ...towards your-your chest?
...balled up in fists like he's running like with his hands close to his chest.

DET. : Ok, did he put his hands up at anytime?
He did for a second.

DET. : Ok, what where-where was he at when he put his hands up?
He was still down the street, he was running back, he like did like, he put his hands up for a few seconds and then put his arms down and he kind of put them close to his chest and he started running.

DET. Ok, so just so I can describe for the audio, you had both of your hands up in the air towards your head.

Yes.

DET Um, kind of, uh, should or elbow length...

Yes.

DET. ... uh, apart, ok. Um, and then did you hear the policeman shoot, uh, at all when he was when he was running away?

No.

DET. : Or only when he was coming back?

Only when he was charging at him.

DET. : Ok, and then you said that you heard a group of about three shots and then the guy kept coming and you heard maybe four more?

Yes.

DET. : Ok, was there anything after that four?

Yes, he, uh, I don't know like-like two or three more.

DET. Ok, then two or three more, ok. Where were you, uh, sitting in the van?

Um, I was in the middle of you know how minivans are made with the seat in the middle?

DET. Uh hmm.

I was in the middle where you could see straight through the, um, dashboard.

DET. : Ok, so you know you've got the first row with the driver, you got the second row, and then the minivan's got the third row.

I was in the second row.

DET. : You were in the second row in the middle?

Uh hmm.

DET. : In the middle of that...

Uh hmm.

DET ...Middle of the middle row.

Right.

DET. : There you go. Was there anything between, if-if you're looking through the-the front....

The windshield.

DET. : ...windshield of the van, is there anything that could have been blocking your view between the van and the police car?

No, the only thing that was in front of us was, the police cruiser, on off to the left-hand side.

DET. : Ok, um, I have a map of the area, are you, and you-and you were there, were-were you guys going there to

DET. Ok, do you-do you go there a lot?

DET. Ok, well the reason why I ask is because, uh, I just want to make sure you are familiar with the area.

Uh hmm, I am.

DET. So I'm gonna show you this map here, um, so...

And this is West Florissant.

DET. : Yeah, this is West Florissant.

And this is the apartment buildings.

DET. Uh huh, here's a satellite photo if that helps as well.

Ok, when you get to these buildings stays like in this part right here.

DET. Ok, do me a favor, let's uh, what I'm gonna do then is on this black and white half, I'm gonna circle here.

That's building.

DET. : And I'm gonna put A, then that's gonna be building.

But, when we came in, we were like in this area, when we seen it cause we was fittin' to turn into Canfield...

DET. Ok.

...Apartments.

DET. : So this is, so this is Canfield here.

Uh hmm.

DET. : And this is Copper Creek Drive.

Yeah, we was fittin' to turn into Copper Creek 'cause stay off the

DET. Ok, can you circle where you saw the police car?

Uh, it was like right here.

DET. Ok, so I'm gonna put B for police car and then can you put where your van was at?

Uh, like right here.

DET. Ok, I'm gonna put C for the location of the...

But, not that far back closer to this building.

DET. ...ok, uh, here?

Uh hmm.

DET. : Ok, so I'm gonna put C there and then I'm gonna scribble out this circle that's, uh, the wrong spot, so C will be the location of your van?

Uh hmm.

DET. Ok, um, if I'm gonna take, let's flip this map over here, I'm gonna draw a road.

Ok.

DET. : It's gonna be pretty simple here, but just a two lines going down the middle, for the double yellow line and then this is gonna be Canfield Drive here, can you draw how the police car or...how the police car was parked?

Ok.

DET. : Here you can.

I got it.

DET. You got it, ok.

Canfield is (drawing), and this door was kinda open.

DET. : Which door was-was kinda open?

The passenger, I mean the, uh, driver side.

DET. The driver side door was open.

Yeah.

DET. : Ok.

DET. Ok, and then you were, you were facing this way?

DET. So you were traveling...

DET. ...in that direct, towards the car, ok, where was the, um, if the policeman was in the car where do you think the other guy was at?

DET. : Ok.

DET. Ok.

DET. : Ok, so you got two lines there that show that where he might've been, ok, maybe a couple feet from the door?

DET. Or-or closer?

DET. Ok.

DET. How were his arms when he was standing at the police door, uh, the door of the police car?

DET : Uh hmm.

DET. : Ok, so he had his hands down towards his waist.

DET. : Ok, and did, um, did you see anything in his hands at all?

7

DET. Ok, um, and then you said that you had heard the-the police when he was running, when the other guy was running you heard the police officer yell?

He said stop three times.

DET. Three times, ok, was that when he was running away or when he was coming back towards him?

When he was running towards him.

DET. Oh, when he was running toward him, ok. Um, Sarge do you have anything else?

SGT. : No.

DET. Do you know what time this was?

SGT. You got her position? (UI)

It was like 12:15, right before 12:20.

DET. About 12:15, 12:20.

SGT. : And she identified herself on the map where she was, where her vehicle was?

DET Yeah, that uh, here...

Sgt. (UI)

DET ...at the letter C, um, the last thing if you don't mind, if you could sign, uh, on this side and this side and put the date down, just so we know that-that we showed you this map and not anybody else. And today's the 14th, will you put today's date down? Let us do the other side, too. Ok, did you see anybody else standing around that-that you would be able to recognize? Did your see anything?

I did see another dude take off running towards the opposite way.

DET. : Ok.

To the right side of the building.

DET Ok, what was that guy wearing?

He was, um, wearing a black t-shirt and gray pants, I guess, because the other dude that got shot was wearing khaki cargo shorts and he had like either a gray or olive green shirt.

DET. : Gray or green shirt, khaki shorts was the guy who got shot.

Uh hmm.

August 14, 2014
2:39 p.m.
Detective
St. Louis County Police Department

Detective = Det.

(Phone ringing)

Hello.

DET. :

Yes.

DET. Hey, it's Detective again, uh, I-I just left your apartment, I have a, uh, real quick follow-up question if you don't mind?

Ok.

DET. Hey, um, we had asked you if you had saw anybody else near the area at the time of the incident and, uh, you said that there was a guy wearing, um...

With a black shirt and gray pants?

DET. Yeah, that ran away from the scene.

Yeah.

DET. Um, at what point did he start running? Do you remember?

When the first couple shots was fired.

DET. Ok, so when you say, when the first couple shots were fired, are you meaning when...

The first two in the vehicle.

DET. ...when-when-when he was standing outside the vehicle and the policeman was still inside, that's when that guy ran away?

Yes.

DET. Ok, I think, uh, I think that's about it.

Alright.

DET. :
Alright, thank you

Bye.

DET. : Bye bye. That was a brief telephone call with um,
time now is 2:39 p.m. on August 14, 2014. This is a recording
made by Detective

END

Detective = DET.
Special Agent = SA

Assistant Prosecuting Attorney = APA
Unknown Male One = UM1
Unknown Male Two – UM2
Unknown Female = UF
Tommy Sotomayor = SOTOMAYOR
UI = Unintelligible

DET. Today is Thursday, November 6, 2014 and the time is 12:10 p.m. This is Detective with the St. Louis County Police Department's Bureau of Crimes Against Persons, . I'm here in a conference room, in the Saint Louis County Prosecuting Attorney's Office, with a, Special Agent, Special Agent of the F.B.I., and also present in the room is...Sir, would you say your name for the recorder please?

DET. Okay, and it's is that correct?

That's correct.

DET. Okay...and what is your date of birth, ?

DET. ...and your home address?

DET. And do you work at all?

DET. Do not.

DET. Okay...and what is your cell phone?

What is my what now?

DET. Cell phone?

Number?

DET. Yes Sir.

DET. Okay and, a, did you say an apartment number with that?

DET okay.

mm hmm.

DET. So...you came down here, a, to the Prosecuting Attorney's Office, because you received a Grand Jury Subpoena, is that correct?

That is correct.

DET Okay and you received that Grand Jury Subpoena a few days ago?

Yes.

DET. Okay...and since then, you had a conversation with a, at least one of the Prosecutors here, explaining to you that they would like you to come down to the office today, is that correct?

Yes.

DET. Okay, uhh...having said that, a, I think your attendance at the Grand Jury will be later on this afternoon, or, or in a little bit here. However, a, myself and Special Agent would like to just have a conversation with you about a few things regarding your original statement that you provided to a, the Saint Louis County Police Department, on August 9th, 2014...okay?

: Okay.

DET. Are you okay doing that?

Sure.

DET. Okay, alright...and, an, just so, so you're clear, this is something separate from than what the Grand Jury, a, from what the Grand Jury, and what from what that Subpoena has a, a, requested of you – you realize that right?

Okay.

DET. Okay, alright. Uh, so, a, I should also mention that is in relation a, to Saint Louis County Complaint number 14-43984, which is an incident that occurred on August 9, 2014, in the Canfield Green Apartment Complex. Okay, so, you had previously spoken to a St. Louis County Detective on the date that the incident took place outside of your apartment, is that correct?

Yes.

DET. : Okay...and, would you retell into the recorder, a, what you recall a, from that conversation with the St. Louis County Detective?

Uh, from that conversation, um, I told him that I heard, umm, approximately five to six shots...and uh, and when I came outside, I seen the officer standing over, uh...a body.

DET. ...and did you tell him anything else?

No.

DET. Alright. And so then, I- I'm assuming based on what you're saying, it was a relatively short conversation that you had with this Detective, is that right?

Yes.

DET. Okay. In the a, time between August 9th, and a, let's say today, or, or several weeks ago, a, we have conducted numerous investiga...or numerous interviews, with a, a variety of people regarding this incident, okay?

Okay.

DET. And in doing so, information has, has come to our attention, a, about additional leads that we could follow up on...okay?

Okay.

DET. ..and one of those things being a interview that you did with a, the Tommy Sotomayor Show...

Okay.

DET. Okay...umm, and so, what I wanted to do was a, just talk to you about that interview that you did...

Okay.

DET. ...and just see umm...'ya know, I guess kind of the circumstances of that interview. Where you at home when you did it, or where were you, do you remember?

Yes...I was at home.

DET. You were at home...okay. And, could you just relay to me, what you remember, from, from that interview?

With Tommy?

DET. Mm hmm, yes Sir.

Umm...

DET. And I guess, I guess, can I, can I back you up for a sec here...because I don't know...a, before, before all this took place, I don't, didn't know, who he was, okay? So can you kinda, just kinda tell me who he is, or what he does...obviously he has a podcast radio show?

(UI) ...it's a talk show. Yep, talk show (UI)...yeah.

DET. Okay.

That people call, voice your opinions about different issues.

DET. Okay.

Mm hmm.

DET. Is this something that you listen to on the Internet, or is it...somehow syndicated to radio, or how do you listen to it?

Yeah (UI) on the internet.

DET. On the internet?

Yes, mm hmm.

DET. Okay, alright...and so do you do that from your home most of the time?

Yes.

DET. Okay...and when you called in to his show, a, where you calling from home?

Yes.

DET. Okay, alright. And, I guess would you go ahead and just relay, what, what, that conversation you had with him was about?

Oooh, wow...umm...hmm. That day, (UI) it's been a while back, uhh, (UI) I really don't remember what happened...uh, I think I called and told him that uh, I uh, saw the shooting outside...

DET. Okay.

and uh...I think I mighta said that there was a struggle going on, at the car, maybe? A...and the guy was runnin', and that's when the officer shot him.

(ELECTRONIC TONE)

DET. Okay.

...from what I can remember. I was discussin', the uh, what I, what I seen.

DET. Okay.

DET. And so, it...you said that you saw the struggle at the car, or you told him that you saw the struggle at the car?

I believe so.

DET. Okay...can you kind of describe that, what, what you saw?

The struggle?

DET. Mm hmm.

Ooh...umm. First I heard the shot. I heard one shot. I was on the telephone, so I got up and looked out, and that's when I saw a, a tussle, at the car.

DET. Okay.

And uh, and I saw, (UI) the guy, Mike Brown, I didn't know at the time, I saw a guy runnin' down the street, and I saw an officer chasin' after him. And, by that time, I got up and looked out... (UI) well, I heard the shots... and I got up and looked out, and that's when I saw the officer standing over the body. So, I came back in, hung, hung the phone up, (UI) the phone up – that's when I grabbed my cell phone, and I went outside and recorded.

DET. Okay...so you have video of the, a...not the shooting itself, but the...after the shooting had taken place...do you have video of that? Is that...

Yes.

DET. Okay. And is that on...

my commentary, yes, mm hmm.

DET. Okay, Okay...and is that on your cell phone right now?

Uhh, yes, I believe so.

DET. Okay, okay.

Mm hmm.

DET. Okay. Would you be opposed to us a, taking a look at that video?

Sure, no problem.

DET. Okay. Do you wanna grab your cell phone, can we, we, take a look at it?

(Clears throat)

Beeping sound

DET. Looks like it just stopped.... Oh no it's starting up.

Audio playing:

UM1: "(UI) Damn, he dead...blood everywhere and shit. Mmm. Just standin' around, they blockin' the street off now."

UM2: "He was chasin' him."

UM1: "No, the guy was fightin' him in the car, the guy was fightin' him in the car. Police (UI). No, the guy was, I don't know...when I looked (UI) police was fightin' him, (UI) police had pulled him over...and uh, he was fightin'...the guy was fightin' at the police, and the guy started runnin' and the police shot him, I don't know...killed him. The guy was runnin' though, but the police killed him...police killed him."

DET. Okay.

SA Is that it, just one? (UI)

DET. Yes...are there more? That's the only one? You wanna check?

...there might be, let's see here...yup that's one. That's both of them.

DET. Oh-Okay, this is another one, here?

Yes.

Audio Playing

UF1: "They did not have to shoot that boy (UI) ..."

UF2: "I knew I wasn't stupid, 'cause I heard it – it's a boo, boo, boom, boom boom boom boom...I'm like..."

UM1: "He was fightin' with..."

DET. Okay...is there any more?

No, that's it.

DET. So just those two?

Uh...yeah.

DET. Okay, alright. So, on that a, video that we just watched, right...and on the, the interview that you did with Tommy Sotomayor, you make reference to fighting in the car. Can you describe that, that fighting, or that tussling in the car?

Sure. Well, like I say, when I heard the shot, I uh, looked up, and I seen...

DET. : Can I...can I stop you just for one second? Just so I can kinda get a picture in my mind...you said you were sitting down?

Yes, I was workin' on the phone.

DET. Okay...and where you inside, outside?

Inside my living room.

DET. Okay, alright.

And I heard uh, a shot...

DET Mm hmm.

...so I looked up, and I seen, uh, the, the guy tussling with the officer at the car.

DET. Okay.

 ...and I seen a guy push off the car, and the officer had his shirt, tucked, you know, like this...

SA Where's the officer?

 He's in - inside the car.

SA Okay...and is the door open or closed?

 No it wasn't open.

SA Okay.

 Yeah...and umm...he, the guy pushed off the car, and ran...down the street...and that's when I seen the officer chasin' him.

DET. And when you say pushed off the car, what do you mean?

 Well, he, the officer had his shirt like this, and the guy, I guess he pushed off the car, eh, you know, (UI) to get loose...

DET. Mm hmm.

 ...and that's when he ran.

DET. Okay.

 ...and that's when I seen the officer chasin' behind him.

SA Whi...which side of the car can you see from...(UI)

 It was on the driver's side.

SA Okay.

 Mm hmm.

DET. Did you see anybody else standing around?

 No.

DET. Okay...and...can you describe this tussling in a little more detail? Like, what, what do you see?

What I saw was, uh, the officer grab (UI) a shirt bein' tug like this...and I saw a guy push off – and when he pushed off he took off runnin'.

DET. Alright, and now just for the purposes of the recording – you're demonstrating, you have...you're kinda pulling on a, your shirt right now...

: Yes.

DET. ...or you were, I should say, pulling on your shirt, kind of at chest level...is that fair to say?

Yes, yes.

DET. ..and you're demonstrating what the officer was doing to, to Mike Brown?

That's what I saw, yes.

DET. Okay. In the podcast, you make mention that you see an individual who we now know as Mike Brown, but you said you didn't know Mike Brown at the time, right?

That's right.

DET. Okay, so let's just, we'll refer to him as Mike Brown...

Okay.

DET. ...just for clarity purposes,

Okay.

DET. ...okay? A, you said that you saw Mike Brown with, with, and he was inside the car...can you describe that part of it?

Well, a, what I saw was, his, uh, shirt being like this inside the car, he was like, like, officer's grabbin' him tryin' to pull him in the car...and I saw, Mike Brown, push off the car, meh, you know, that's what I saw – and a, I saw him take off runnin'...down the street.

SA Where's Mike Brown's head?

It was outside the car.

SA Okay...so...everything was outside of the car, except for maybe his chest coming...towards the car?

 His shirt, yes.

SA Okay, his shirt...that's it?

 Yes, yes.

SA Okay.

 (UI) ...as far as I remember, yes.

DET. Okay. Did you see the officer, doing anything with his hands, other than, grabbing that shirt, grabbing Mike Brown's shirt?

 No.

DET. Okay. Did you see Mike Brown doing anything with his hands, other than pulling, pushing off the car, right? You kinda made it, a motion, like you were...

 Trying to get away...maybe...

DET. ...forcing your, you know, you have your arms straight out in front of you.

 Yes.

DET. : A, and I'm making an assumption here, but were you kind of demonstrating you were pushing off the car, is that right?

 That's right.

DET. Okay. Did you see Mike Brown doing anything else with hands, other than pushing off the car?

 : No.

DET. Okay. And so, let's go back to that point right there, okay.

 Mm hmm.

DET. You say that Mike Brown takes off, and runs, correct?

Mm hmm.

DET. In which direction does he run?

(UI) ...down the street...which is, uhh, I guess, North, I guess, Northbound maybe?

DET Well, which way, down the street, you're making reference to what street?

Uh, Canfield.

DET. Okay.

Yeah, Canfield.

DET And so, does he run towards West Florissant?

No, the, the opposite direction.

DET. So he runs towards...Northwinds Apartment Complex, right?

: Exactly, right.

DET. ...or, he would also be running...if your, your apartment, I'm assuming towards you, is that right?

Yes, ye-yes, yes.

DET Alright, alright...and just for clarity purposes...

Mm hmm.

DET. I guess...this is a map of the complex right here, okay? Could you indicate to me, where you saw the police vehicle at?

Mmm...kay...this is my building right here...approximately right in here.

DET. Okay. Would you just draw a rectangle where you saw the police car at?

Right there.

DET Okay...and where were you standing at...would you just put an X where you were...

Ah, I wasn't standin' - I was inside the house.

DET. Okay.

Uhh...I live right here...

DET. Alright, okay.

Right there.

DET. Would you just put an X there in that place?

X?

DET. (UI) That's fine.

Okay.

DET. Okay. And so which direction did you see Mike Brown run?

This way.

DET. Okay, so, where you're indicating, primarily east, in an eastern direction on Canfield, or southeast, right? So we can put - put an arrow that he's goin' this way...okay?

Mm hmm.

DET. ...and what happens after he takes off running there?

That's...(UI) it got to a point right here I didn't really see 'cause of the barrier, the uh, concrete barrier...and, I don't know if he...that's when I um, I didn't wanna come outside and, and investigate 'cause I heard the shots. After the shots, after the shots, that's when I came outside.

DET. Alright...and so you said, you made reference on a map here, to right here, he came back to this area right here. Is it fair to say that you were making...would you point out again, where, you were saying that he came back to...that Mike Brown came back to?

Came back to?

DET. You said "He ran back to here".

No, he-he, he took off from the car...he ran, down the road here... and I live right here, and that's when I... I re...I didn't see the shooting.

DET. Okay...

I heard...

DET. ...and that's what I'm saying...so he ran back to where? Back to...what's the furthest point east that he ran to is what I'm saying.

Right in front of my comp...apartment complex.

DET. Okay. So, point to me where he ran back.

Right in this area here.

DET. Okay.

Mm hmm (UI)

DET. So, where...it's fair to say that he ran towards the intersection or at the intersection of what's identified on this map as Copper Creek Court and Canfield Drive, is that fair to say?

Pretty much, yes, mm hmm, yes, uh huh (UI).

DET. I'm just gonna put an X there, right, okay. And obviously, a, you said that this right here, is your building, this , right?

That's correct.

DET. : You said you didn't see what took place here, because there's a, a barrier there?

There is a concrete barrier, yes.

DET. Alright, alright. So then what's the next thing that you see then, after Mike Brown takes off running a, back to the east? What does the officer do? Where's he at?

Well, after I heard the shots I came outside and saw the officer standing over the body.

DET. Okay.

Then, I came inside grabbed my cell phone...and I went back out...and started recording.

DET Okay.

SA What was the officer doing when he was standing over the body?

 There was an officer standing around the body, a, I-I think he was on, uh, a walkie talkie maybe. I think he was, yeah, I think he was messing with a walkie talkie.

DET. How many officers did you see?

 I seen one at the time.

DET. Okay.

SA After um, after you saw the officer standing over the body, how much later did other officers come?

 I don't (UI)

SA You don't...you have no idea...okay.

 I - I don't know...

 And again, you said the officer was standing over the body – what was he doing?

 Well, w-we was standing there....he wasn't like over the body looking...

SA Was he standing by the body or over the body?

 He was just there...he was standing around the body...

SA Okay.

 Yeah. He wasn't standing over the body, lookin', ya know, down, but he ...was standin' 'round the body.

SA Okay.

 And I believe he was...(UI) walkie talkie, I guess.

DET. You're making reference to, you're reaching down, to your waistline...

 Right, as far as, like messing with, talking on the walkie talkie, he was, maybe, dialing or something.

DET. Okay, alright.

SA And the concrete barrier you were talking about, that's where the staircase is?

 Yes.

SA Okay.

 (UI) staircase right there.

SA Right, alright,

DET. Okay...it just..if it's okay...do you have anything else? If it's okay with you, I have the interview here, of that podcast...I'm just gonna play it for you.

(beeping sound)

SA How many seconds, was it um, you said there was some tussling, at the vehicle...how many seconds do you think that was?

 A, when, when I looked up, it mighta been 'bout maybe five or six seconds (UI)

SA So not, not a whole lot...okay.

 (UI) ...cause when I heard the shots, that's when I looked up, and saw the tussling.

Audio playing:

SOTOMAYOR: ...310. We're gonna get to a lot of phone calls, and hopefully we have a lot of people calling...from the area of uh, Saint Louis.

 (UI)

SOTOMAYOR: ...I'm being told by a lot of people that I should not go, that it's really bad there. What I'm going to do, is speak to a lot of people who are from there...and one...his name is and he lives in the complex where Mike Brown was shot. What's up

 Hey Tommy, how ya doin'?

SOTOMAYOR: I'm doin' well, how are you doin' brother (UI) you're right there...
(UI)

DET. I'm just going to stop it right there for a second, so that's you, talking to Tommy Sotomayor, is that correct?

: Yes.

DET. Okay.

(Audio restarts)

(UI) in front. Uhh, first of all, I like to say, I uh, appreciate the work you done, bro."

SOTOMAYOR: Thank you.

(UI) big respect. Tommy, man, uh, the incident happened the other day
(UI) ...man.

SOTOMAYOR: Explain.

Umm...well I was on my front patio, uh, sitting down, and I heard the first shot...so I jumped up and looked out my patio, right?

SOTOMAYOR: Mm hmm.

And I noticed uh, I noticed a brother and the officer, the officer was in his car, and the brother was leaning up into the window, (UI) you know he was like scuffling...right?

SOTOMAYOR: Mm hmm.

...and I guess the officer uhh, kicked the door open...

DET I'm gonna stop it there for a minute.

Mm hmm.

DET You said leanin' up into the window...tusslin', right?

: Okay??

DET. What do you mean by leanin' into the window?

Well, like I say, I seen the shirt tugglin' ...like this...and I seen Mike Brown push off.

DET. Okay.

(Audio restarting)

...and the (UI) started runnin', down Canfield Road, that's the name of the street, Canfield, Canfield Road, and uh, apparently the officer was (UI) was firin' from, was shootin' him from the rear.

SOTOMAYOR: Mmmm!

And umm, and uh, I guess they got, I guess they call him - what's his name? Mike, Michael, Mike?

SOTOMAYOR: Yeah.

I guess he was turned around, seem like he was going back towards the officer, and officer...that's when the officer unloaded on him. And I seen the way he fell to his knees, and a, he just collapsed in the middle, middle of the road.

SOTOMAYOR: Okay, so, okay, now there are some reports, and since you saw it firsthand...

Yeah.

SOTOMAYOR: this...this is good. There are some reports which are saying umm, openly, and hopefully you can help me, help us out with that. There are some reports that are saying that the guy had his hands up when he was shot...is that true?

Well, I don't know, I didn't see that because I was behind the build...I didn't wanna (UI) head up, you know what I'm sayin'?

SOTOMAYOR: ...get shot (UI) Yeah.

Yeah...right. But apparently, uh, the guy, he was walking back towards the officer. Maybe that got his hands up, I don't know.

SOTOMAYOR: Mm hmm. So you – so somebody told you he was walking back towards the officer?

Well, that's what the crowd was sayin', he had his hands up, (UI) that's what they was yellin'.

SOTOMAYOR: Mm hmm.

But, my thing, I seen it, I seen the guy runnin' down the street, the officer was shootin' him from the back...okay?

SOTOMAYOR: Mm hmm.

And, by the time I looked up – umm, the guy he was (UI)

SOTOMAYOR: Hello? Aww, damn it! Who dropped off, was it me?

DET. He hang up on you, or did you hang up?

Uhh...I think it was a dropped call, I think.

SOTOMAYOR: Some...tell to hold on!

SOTOMAYOR: I got kicked off my own damn show!

SOTOMAYOR: Now I know what y'all fell like!

SOTOMAYOR: Y'all hold on, I got kicked on my own show somehow.

(Automated female system voice (UI), distortion)

SOTOMAYOR: Hey brother, you still there?

Yes Sir, what happened?

SOTOMAYOR: Sir, I got kicked off my own shit!

(laughing)

SOTOMAYOR: I, I, we didn't get a chance to hear the part where you said, uh, you spoke on, you said that's what the crowd was saying that he had his hands up...what happened?

Yeah, that's what the crowd was saying, uh, he had his hands up...and uh, I didn't see, I didn't see the guy with his hands up, (UI) I did see him runnin', uh, up the street towards the officer. M-m-maybe m-maybe he did have his hands, but I don't, I don't recall.

SOTOMAYOR: Mm hmm.

Ya know what I'm sayin'?

(UI)

SOTOMAYOR: Let me ask you...you said, you said, that he has his head inside of the car with the officer, like they was scuffling...so that part that the officer said...

That's correct.

SOTOMAYOR: ...is actually true?

That's - yes Sir. That's when I heard the first shot. The – the first shot came from the officer in the car.

SOTOMAYOR: That's what the...that's what the officers wrote...when I was calling bu- I was calling bullshit; the officer was claimin' that the dude was tryin' to grab his gun, and the shot went off in the car.

That's right.

SOTOMAYOR: So you're saying that's true?

The guy was half, (UI) his upper body was inside the windshield...I was like what the hell?! And, by that time, a, I guess officer kicked his door open, and the guy, took off runnin' down the street...and, I think the officer was shootin' him, as he was runnin' down the street...okay?

SOTOMAYOR: Mmm hmm.

...and by that time, the bullets was hittin' towards (UI) which I'm duckin', you know, I didn't ya know, I didn't wanna get, get done...okay?

SOTOMAYOR: Right...

...and uh, I seen the guy, he turned around, I don't know if he had his hands up or not, I don't know. But that's when the officer unloaded, you know...

SOTOMAYOR: If you...if you, had to, if you had to, say from your own opinion from what you've seen...do you think it was a justified, uh, homicide?

Oooh...from what I seen, by the guy leanin' into the car like that...yeah...yes.

SOTOMAYOR: Why? (UI)

It was a, it was a big, it was a big scuffle right there. Yes...the guy was in (UI) inside that police car, when I heard the shot...ya know what I'm sayin'?

SOTOMAYOR: Then now, do you believe...so you're sayin' like the cop probably unloaded on 'em (UI) from where you're comin' from, the cop unloaded on him when he stopped and turned back around?

Well, like I say, he was runnin' towards my way, okay, down the main street...

SOTOMAYOR: Mm hmm.

...and the cop is shooting from the rr..., (UI) the guy in the back. And I guess the guy turned around, and was heading back towards...the officer.

SOTOMAYOR: Mmm...

He's wearing flip flops, and the flip flops are all in the street, so a lot a times he runnin', you know, in his socks.

SOTOMAYOR: Mmm.

(UI)

SOTOMAYOR: Well that, that, (UI) if it ends up being, like I tell people all the time, I don't mind apologizin'...and if it ends up being... 'cause after I did my report, I did my initial report based on what I read, and I'm just tired of seeing black men get shot. But when I'm hearin' what other people are sayin', and they were like look, you're, you might have this wrong...they were saying, you may, this guy may have literally been...'cause you know, you hit a woman, the woman say, you know, he - he's a good son, he's never done anything...I just gotta ask you this though. Do you think it's justified to try and shoot somebody in the back? (UI) I mean, he's (UI) he's unarmed.

(UI) He was fleein' the scene, he was fleein' the scene.

SOTOMAYOR: Yes.

Yes. Eh, I- I don't think that was justified.

SOTOMAYOR: Eh, 'cause I-I would assume, I mean if he's shooting as this guy apparently he's not a marksman. So he could literally miss this dude, and hit, an uh, uh, kid that's walking around.

That's right. Yep. Yes, Sir.

SOTOMAYOR: I assume you got..you saw him, you got a good look out for him, you put out a APB for him, and then you just try and bring him in. But then...

That's right.

SOTOMAYOR: Ahh...I don't know; because, we're in, we're in crazy positions, and Ladies and Gentlemen, we're talking to uh, a young man who's right there, on the scene...Mr.

lives right there, he seen it by firsthand...

I-I'm not that young, I'm not that young.

(Laughing)

SOTOMAYOR: Hey I ain't either, (UI) we young until we dead. I'm a keep callin' us young men.

That's right (UI).

SOTOMAYOR: But...what is the state, of um, the atmosphere – what's goin' on right now...what is going on?

You really wanna know what's goin' on right now? During your break, there was gunshots outside on the streets here...

DET. Was that true?

Yes.

Literally.

Literally. They had a candlelight vigil, the only lights I seen was, blunts bein' lit up.

SOTOMAYOR: Mmmm.

Beer cans poppin', it was uh, it was a damn freak show. Motorcycles, car shows, shit like that.

SOTOMAYOR: How do you think the blacks are handling it...what do you think they should be doing, as opposed to what they are doing?

What do I think they should be doing...is come together, in a more positive, uh, positive way. Because I mean, (UI) you got, you got pregnant women out here, you have kids, (UI) you had kids up here, watchin' this, you know.

SOTOMAYOR: Yeah.

Innocents, kids, walkin' around just watchin' stuff. It-It was a sad situation.

SOTOMAYOR: Like I feel bad right now because I don't know what to say next. I want to measure my next comments, because the first thing I said, and I own up to it.....the first thing I said...

Mm hmm.

SOTOMAYOR ...was, they need, the cops need to start feeling, what the, uh, the citizens are feeling.

(UI)

Mm hmm.

SOTOMAYOR: And I still feel that way, (UI) I still feel that way, because cops have done, literally have gone too far with how they're handlin' their citizens. But...but, I also looked at the scene. I looked at how many hair hats was out there, I looked at how many just (UI) I mean talk about that, talk about that, doesn't that bother you little bit, that it was way more women, looked like it was about seventy to eighty percent women...

Eh...yes.

SOTOMAYOR: Women and kids, women and kids.

(UI) Half of 'em, half of 'em was pregnant...

SOTOMAYOR: Oh my goodness!

...with baby strollers out there. It was all young guys and women, no older crowd at all. I, I heard you mention about the, the uh, guy's mother.

SOTOMAYOR: Mm hmm.

The father was out there also, but they was not...it was, there was no compa...uh, companionship with each other. They's separate, doin' they own thing.

SOTOMAYOR: Yeah...that, that's crazy...

UI)

SOTOMAYOR: ...cause you saw, you saw the step...

(UI) There was no consoling or nothin'.

SOTOMAYOR: 'Cause you saw the stepdad standin' there wit a sign that said they, they shot my son dead in the street, and I was like, I thought that was the father...and they was like no, that's the stepdad. You saw the stepdad with the mom, but you never saw the dad with the mom...if you said he was out there, that's crazy...they never even interviewed him.

That's right. Matter a fact, it-it there was a, uh, black bald-headed guy, I don't know whether it was his father or stepfather or not, but this guy...was walkin' around shirtless, with pants below his butt! You know...maybe, maybe he jumped out the couch like that, came outside like that, I don't know, but, you know, eh...(sigh) you know (UI)...hangin' off his butt, and no shirt. It was, it was...it was sickening.

SOTOMAYOR: Ah gee...(UI) and, and that's what's really bothering me, and , um, do me a favor send me an email 'cause when I come out there I'm a wanna talk to you face to face if that's cool.

No problem brother.

SOTOMAYOR: Send me an email at TJ@yourworld...

Let me write, just...

SOTOMAYOR: Yeah.

...just hold on. TJ...

SOTOMAYOR: Uh ah. Just TJ...

...world?

SOTOMAYOR: Yeah at "yourworldmyviews.com". That's views with an "s" dot com. Send me an email. I want to get, get up with you so when I come out there, I can meet with you, talk to you face to face, if that's okay.

Hey, uh, I have something to show you when, you know, uh, uh...look for (UI).

SOTOMAYOR: Well, uh, perfect. If you can send that to...

I, I haven't shown, I haven't, I haven't shown anybody so...

SOTOMAYOR: Oh, if, if you can send that to me, that would, that would be beautiful. I would be uh, uh, able to use that...

Okay.

SOTOMAYOR: And we can get that up...

That's TJ at...

SOTOMAYOR: Yeah.

...is that “ywm view” or just (UI)...

SOTOMAYOR: Yeah...

Spelled out?

SOTOMAYOR: ...the whole word. Y, O, U, R. Y, O, U, R...

Gotcha.

SOTOMAYOR: ...World. W, O, R, L, D. My. M, Y, V, I, E, W...

Yes sir.

SOTOMAYOR: ...S. Dot com. Send it to me. Let’s, let’s get this thing going, and I’m gonna, um, talk to you when I get there, so I cannot wait, . Thank you, brother.

Well, you keep up the good work, man. You’re doing a good job.

SOTOMAYOR: I’m trying. Let’s see if we can do this thing together. Guys, we got more people calling in from, uh, St. Louis...

(Conversation ends).

DET. Okay. So is that the entirety of the conversation that you had with him? Have you talked to him since then or...

No.

DET Okay. And...I’m just going to go through a couple things here.

Okay.

DET. You said that you had something you wanted to show him.

Uh um.

DET. Could, would you tell me what that was?

That was the video you seen.

DET. Okay.

: Uh um.

DET. So just those two videos...that's all that you had?

Yes.

DET. Okay. At any point in time, have you seen other videos of this incident?

On You Tube? Yes.

DET. Okay.

Yes.

DET. Anybody in the neighborhood?

No.

DET. Okay.

UI). I didn't see anything.

DET. So obviously what you have said to...on this video here, or on this broadcast here, is a little bit different than what you told us here today and what you told, uh, Detective on the 9th of August, right?

: Okay.

DET. Slightly different. Um, would you mind just clarifying in... Here's the thing, Our, our job in this is to obviously get to the truth of what took place, okay?

Okay.

DET. And that's essentially all that we want...is we just want to get to the truth of what people saw.

Right. Right.

DET. And so with yours, there are a few inconsistencies that you have provided from one statement to another or when you had that conversation with the...

(Knock on door)

Okay.

DET. ...so I guess the only thing that I'm, I'm asking of you...

APA : Hi.

DET. ...the only thing I'm asking of you is, you know, to just, just lay it all out there and let us know what, uh, what it is that you saw, and what it is that you heard from other people, you know what I mean. Cause there's a big difference between you saying what you saw and then you saying what you heard from other people.

What I heard...I didn't hear anything from other people.

APA I just wanted to come in and tell you we took a lunch break, and so, um, um, we'll be back, you know, in several...they're going to eat lunch, so that's going to be 30, 40, 45 minutes. They usually just tell me when they're ready.

Okay.

APA So, um, um, I'll let you know. When they say we're ready and, and if you finish before then, let me know, okay?

Okay.

APA All right, thanks.

SA Well, you said there was a concrete barrier and you didn't see a lot of what occurred after he started running away. So, we're just trying to figure out what you actually saw and what you heard people say and you kind of put that into your, your narrative. So, did you actually see him fall to his knees?

: Yes.

SA Okay.

Yes.

SA All right.

Yes.

SA And you said that you heard shooting from the officer as he's running away? Or you saw...

That's what I thought...

SA Okay, so...

I thought. I didn't, I didn't actually see him shooting.

SA Okay.

I thought he shoot him from the back.

SA Okay. And why did you think that?

Don't know.

SA Okay.

Don't know. Don't remember.

SA Okay.

I thought he shoot him from the back.

DET Okay.

I seen the officer running after him, you know. I thought he maybe shoot him from the back.

SA Uh um.

And he go to the point where the barrier was...I seen, uh, Mike Brown...he was heading this way, but when I seen him he was turned the other way.

DET. He was headed which way?

He was heading towards, uh...he was running down the street...towards this way.

DET. Okay, so he's running east...

Right.

DET. ...right?

And he got to a point I couldn't see, but I saw him turn around. I, I thought he...I...he turned around.

SA Uh um.

DET. Okay, and when he turned around...

: And...

DET. which way are you saying...

He was heading back towards...head...facing towards the, uh, the cop.

DET. Okay.

This way. This way.

DET. Okay.

And I assume that, uh, he's running towards him, cause, he was running in that direction, but he turned around...

DET. Can I stop you there?

Yes.

DET. Who was running towards who?

Mike Brown.

DET. ...was running towards...

I didn't see him running, but I, I saw him turn, facing the cop.

DET. Okay...

SA Now you made a hand motion when you said he turned around. What was Michael Brown doing when he turned around?

I don't remember.

SA Okay. You just know he turned around.

Yeah, yeah, he had to turn around because he's facing the other direction.

SA Okay.

But the body was turned towards the cop.

SA Okay.

 Okay.

SA So you don't know where his hands were? You...

 I don't.

SA Okay. All right.

 And I heard the shots and that's...

SA How many, how many shots did you hear?

 Approximately five or six maybe. Maybe.

SA Okay, and he had already turned around and he's facing...

 He was facing...

SA the police officer.

 ...this way - towards the cop.

SA Okay.

 And I, I heard the shots and by that time I came outside and I saw the body out there. I came back inside and grabbed my cell phone. That's when I went back out and was, you know, recording.

SA Uh um. Okay, so you went inside when Michael Brown's on his feet, facing the officer. Is that...

 No.

SA Okay. So, sorry. Say it one more time.

 : I was inside...

SA Uh um.

 ...and he...I see Michael Brown running towards the other end.

SA Uh um.

And that's when I heard the shots. Five or six shots. So I came outside. I seen a body facing towards a cop.

SA Uh um.

And that's when I saw the cop standing around a body. That's when I went inside and grabbed my phone. I came back out and getting' recording.

DET. Okay. Did you see the police...you saw the police officer out of the car, correct?

I saw him chasing Mike Brown.

DET. All right. And what was he doing? You said chasing so he would, you're...I'm assuming he was running after Mike Brown. Is that right?

Yes.

DET. Okay. Did he have his gun out?

I don't remember.

DET. Okay, that's fine. That's fine. And at that same time, could you also see Mike Brown?

Yes. Yes.

DET Okay. And what was Mike Brown doing at that same time?

He was running.

DET. Okay. Which way was he running?

Towards uh Northwind, the other...the opposite direction of the cop.

DET Okay. So he's running east...

Okay.

DET. ...and the officer is also running east, following Mike Brown, right?

Yes. Yes.

DET. All right.

SA Do you hear the police officer saying anything? Do you hear Michael Brown saying anything?

No, I don't. (UI).

SA Okay.

Actually I was inside.

SA Okay.

DET. Okay. And so then, you see both of them running east and then what's the next thing you see take place?

Well, I heard the shots...

DET. Okay.

Yeah...and, uh...

SA You heard the shots at the same time you saw them running east?

That's yeah, I, uh...(UI)

SA If you don't remember, that's fine. We're just tryin' to figure out what you remember...

I-I- (UI) tryin' to think

SA ...and what you may have heard (UI)

I seen Mike Brown runnin', I seen a cop chasin' him, down the street...and I, it got to a point where the barrier was...I couldn't see what happened there...but, I know the body was turnt the other way, so Mike Brown had to turn around.

DET. Okay and I guess that's what – that's what we're trying to avoid here is – is, we don't want you to make assumptions about what you saw, or what what you think you saw, okay. Just, just tell us what you did in fact see, not what you think you might...

Okay.

DET ...have deduced from the situation, or what other people are saying.

Mm hmm.

DET. Just tell us what you saw, okay...alright?

I seen the officer chasin' Mike Brown down...and...I heard the shots. And when I came outside, I saw the body, the cop standing around the body. That's when I came back inside and grabbed my cell, my cell phone, and that's when I came back out and did the recording.

DET. : Okay.

SA Okay, so the last thing you saw were both of them running...and then you came outside, and you saw Michael Brown on the ground.

Yup. I saw him runnin', and then I heard the shots.

SA Okay. So you never actually saw him turn around...Michael Brown turn around?

No, I didn't actually see him turn around, no.

SA Okay.

DET. Alright...I'm just gonna go through a few other things here,

Okay.

DET. statements that you made...

Okay.

DET. ...in this podcast here, and I want you just to clarify, what you...

Okay.

DET. ...you said, you saw him going back towards the officer. Did you see Mike Brown going back towards the officer?

No, no, no...I didn't see that.

DET. Did you see the officer uh, shooting, a, Mike Brown in the back?

No.

DET. ...And then again at...

(UI) I assumed... I assumed he was.

DET. Alright....and I think on this one, I think you said the crowd was saying that he was walking back towards the officer...who in the crowd was saying that?

 Just people standin' arou- (UI) by that time the neighbors, everybody was comin' out...and um, they was sayin' "He had hands up, he had his hands up", you know.

DET. Okay.

 That's what I was hearin'.

DET. But there were other people there saying he was walking back towards... I think in the podcast, you say the crowd was saying that.

 Yes, yes. They say he had his hands up.

DET. Alright.

SA And I know you've already mentioned this, but I just wanna clarify...

 Mm hmm.

SA ...in the podcast you said his upper body was inside the windshield...is that something that you saw – or did someone say that they had seen it?

 What I've seen, what I seen was, his torso, being grabbed like this, his shirt being tugged...and I saw Mike Brown push off the car...

SA Okay.

 ...and then take off runnin'.

SA : Okay. So, why would you have said his upper body was inside the vehicle?

 Well, it's, it's...torso was...(UI) windshield...

SA You just meant the shirt...okay, is that what you meant?

 His torso, was like, in the, in the uh, like in the, in the windshield...not windshield...but, the...

SA ...the opening...of the window? Yeah...

 (UI) and see him doing this, and that's when I seen Mike Brown push off, and then take off runnin' down the street.

DET. In the podcast he asks you...something to the effect of, was the officer justified in what he was doing? Right? Then you make a comment about, well based on what I saw in the car. Right?

Mm hmm. Okay.

DET. So, when you...making reference to what's goin' on in the car...there's a big difference between what you're telling us now, and the way, that at least it's implied, in this podcast right here.

Mm hmm, okay.

DET. What's the, what else is there, or how, how can we help clarify what's going on between the podcast, and kinda the information that I'm picking up from you right now.

Pretty much the same, I mean, that's what I – that's what I've seen, I've seen the, I've seen the, the shirt bein' tugged, and I saw Mike Brown's - half his body – against the car. Maybe that's (UI) ya know, I don't know...that's what I told Tommy, ya know. But that's what I've seen. That's what I've seen. I seen a struggle right there at the car, and I seen uh, Mike Brown's shirt bein' tugged by the officer....I seen Mike Brown push off the car, and take off runnin'.

SA Is there um, I heard other voices, in your video that you showed us. Do you know any of those other folks that were in the video, that were talking?

Uh, I believe one was my neighbor next door.

SA Okay, do you know that person's name?

Her name...wait a minute, his name is .

SA ?

also, yes.

SA Okay.

Last name, I don't know.

SA You don't know? Okay.

: No. Uh...

SA So he was in apartment ?

No. Uhhh....he was on the side, on the second floor.

SA : Mm hmm.

And that's ya know, like I said, that's when everybody came out, and I had my camera, he asked me questions. (UI) I told him I heard the shots.

SA Mm hmm.

DET. Okay...in the video you say that he's half way inside the car.

Okay.

DET Okay. Now, that's not what you're...what you're describing to us today, alright? There's a big difference between being halfway inside the car and somebody just pulling, somebody just pulling on somebody's shirt.

Okay.

DET. ...and - and I guess...this is what I'm asking, okay?

Okay.

DET. Just be up front with us...

Yes.

DET. Be honest with us what you're seeing...

Yes.

DET. Okay, because right now, it's a little confusing to us...and I don't think we're getting everything from you, the whole story from you.

Okay...

DET. : K....

Okay.

DET. ...so what, I mean, tell me. Just tell me what you saw.

That's what I meant. When I looked out my window, I seen Mike Brown, half his body, against the car, bein' tugged, by the officer...and that's when I seen Mike Brown push off the car, and take off runnin'. That's, that's what I've seen.

SA So, why would you say...that you saw him inside the car those other times?

I don't know. That's-that's what I...what I mean by inside...maybe what I meant by inside the car, I seen his shirt, inside, (UI) you know, being tugged... and that's m-maybe that's what I mean by inside the car I don't know, I don't remember.

SA Why...

I know for sure, that his-his upper half, was up against the uh, the uh, windshield...the uh, window. And I seen Mike Brown push off, and then run.

SA Are, a, have you...talked to anyone in the community that has told you not to come and talk to us?

No.

SA Okay, so no one said "Don't talk to the F.B.I.", or "Don't talk to County"?

No.

SA Okay.

DET. Alright, and just so, I make sure I understand this correctly alright?

Mm hmm.

DET. They take off running, both of them ultimately run east on Canfield, correct?

Yes.

DET. Okay. You do or you do not see the officer firing?

No I didn't, I heard.

DET. You hear...

I heard.

DET ...the officer firing...shots.

Yes.

DET Do you see Mike Brown at that point?

Well, I seen Mike, Mike Brown when he was facing towards the officer laying down, and the officer, was, uh, standing around him.

DET : So, that's the next time that you see Mike Brown?

That's when I seen...(UI) I seen the body laying there...and that's when I came inside, and grabbed my cell phone and went back out.

DET Alright...and so your statement about going back towards the officer...

Like I say, I-I was assuming that he was fit- going back towards the officer, 'cause the body was facin' towards the officer, when I came outside.

DET Okay. You previously described in the map here, that-that, where you put this X, is where Mike Brown... where you saw him run to, right? The intersection of Canfield Drive and Copper Creek Court, right?

: Yes.

DET Where did you see his body after he fell?

When I came outside, the body was right there at the X.

DET At the X?

Pretty much, yes.

DET Pretty much...or what? I mean...

Well...

DET and I know we're not getting exact on this map, but...

Uhh...I seen Mike Brown runnin', and like I say, I couldn't, ah, after that, the barrier's right there, I couldn't really get details on what happened, but I seen...I heard the shots...and, when I came outside, I seen officer standin' around the body...and Mike Brown was facin' towards the officer car.

DET Okay, alright.

And like I say, I assumed that he was comin' back towards the officer, 'cause he was turned around.

SA Where are you looking at in your apartment, are you at your living room window?

Yes, patio window, yes. I was sittin' down on um on a, on a, yeah.

SA Okay.

...and I heard the shots, I heard one sh – I heard a, I don't know how many shots, but I looked up, and I seen a officer grabbin' Mike Brown, and half his body was like, ya know, against the window, you know the windshield...and I seen Mike Brown push off, and I seen him run.

SA : Mm hmm. Who were you on the phone with?

A female friend.

SA Okay. Did you talk to her about what you had just seen?

Yeah, she heard the shots on the phone.

SA Okay.

Yeah.

SA ...And what did you tell her?

What'd I tell her?

SA Mm hmm.

I told her, ah, somebody (UI) a officer chasin' a guy down the street... and she's like "are those shots honey?" Yeah, I'll call you back, so I hung the phone up.

SA Okay...

That's when I came outside, and I saw...Mike Brown body out there, officer standing around him...

SA Mm hmm.

...so I came back inside, grabbed my cell phone - and went back out.

DET. one of the things that we've... (UI) one of the things that we ask of anybody that has a video, of the incident, that we haven't seen...is we ask for permission to essentially take your phone for a brief period of time, and allow us to copy that video footage just so we can have it as evidence. Are you okay with us doing that?

Yes.

DET You're okay with us doin' that?

I mean you're gonna take my phone, am I gonna get it back, or...?

DET. Absolutely, absolutely...and what I'll do is...Uh, I don't know how long you're gonna be here today...

Okay.

DET. ...but if it's okay with you...

I'll get it back today?

DET. I'll take it right now, and we've got guys working right now,

Sure, no problem.

DET. ...that will uh, essentially mirror the phone, so take what's on the phone off.

Okay...no problem.

DET. ...and we'll get your phone back to you right away. Okay?

: Okay.

DET. ...and I say off (UI)

You're not gonna, you're not gonna, take, the other photos that I have, that I have of uh, different uh, females...are you?

DET. Well...ah –

Everything?

DET. My thought is...when they mirror it, they mirror everything on the phone.

Okay, that's fine.

DET. You okay with that?

Yeah, it's fine.

DET. Okay, alright.

As long as I get it back, then that's fine.

DET. I'll get it back to you as quick as I can.

Okay.

DET. So, just so, for clarification purposes, only 'cause we had ah, a two or three minute conversation in here before the recorder was started...

Okay.

DET. ...uh, you came in here, we identified ourselves to you, is that correct?

Yes.

DET. A, we asked you if you were okay having a conversation with us, and you indicated that you were...is that correct?

: Yes.

DET. Okay...and, I explained to you that we, uh, record interviews that we conduct, is that right?

Yes.

DET. Okay, and you indicated to us that you were okay with us, recording our, uh, the conversation that we were about to have, is that correct?

: Yes.

DET. Okay. A, we haven't made you any, any promises and we haven't made you any threats, is that correct?

o you haven't.

DET. Okay, alright. And, you're obviously; obviously, free to leave this conversation, and you felt free to leave this conversation as things were going on. Obviously, you have a

Grand Jury Subpoena, for...whenever...

Okay, okay.

DET. ...but, you are aware, you were and are aware of that, is that correct, right?

Yes.

DET. Okay, alright.

SA I'm fine.

DET. Okay. , is there anything else that you would like to add, anything else that you feel is important that we should know?

No, no, no.

SA Is there anyone else that you think we should talk to? That might give us more information...that would be willing to talk to us?

No, 'cause when I came outside, it wasn't nobody around, ya know. After the shots, that's when everybody started comin' out. Ya know, like my neighbor next door, and the guy, uh he was on the balcony, and... that's when he started askin' me question, like "What happened, I heard the shots", ya know.

DET. Did indicate that he saw anything?

No.

DET. Is there anybody else that you know that saw this take place?

No...not to my knowledge.

SA Is there anything else that you wanna tell us, about what's going on in Canfield, or what happened that day?

No...it was just a dark day, ya know. Yeah, it was crazy...that's about it.

DET. Okay. Is there a password on your phone...to open it up?

No... (UI) just let me check.

DET. Nothing? There's not code, or no...

Uhh...no....It's open.

DET. Okay. Is there anything else you'd like to add, anything else that's important?

No.

DET And this is your best recollection of the incident, you're being truthful in everything that you said?

Yes.

DET. Okay, the time is 1:03 p.m., and this will conclude the interview.

In the event of a discrepancy between the transcript and the recorded audio statement on CD, the CD should be used as the most accurate account of the statement.

DET. Yes, ah, Christian Hospital and North West Health Care.
Okay, ah, and on August 9th um, 2014 were you working?

Yes, at north west health care.

DET. Okay, and that do you know the address to that facility?

It's at 1225 Graham Road, Florissant, Missouri, 63031.

DET. Okay, and I wanna kinda direct your attention to ah, a specific patient that you had treated that day um, do you recall treating a patient by the name of Darren Wilson?

Yes.

DET. Okay can you tell me about that?

Um, he was brought in by his supervisor and ah, two St. Louis County detectives um, with the complaint of a being punched in his jaw twice um, during while attempting to detain a suspect. Um he complained of pain to the jaw area primarily the right jaw with a little bit of redness developing to the area. Ah, they were requesting x-rays of his jaw to ensure that there was no broken bones.

DET. Okay um, now did you specifically ask him those questions I guess regarding what happened or how he sustained the injuries?

Yeah, I-I asked him what happened, what brought him in and he-he said that he was ah punched in the jaw twice while attempting to detain a suspect.

DET. Okay, did he, ah, ever I guess motion or show you where exactly he was punched?

Yes, he-he motioned with his fist to the right jaw like this um, he did not motion to the left jaw but he did complain of pain to the left jaw.

DET. Okay, um, did you ask any, um, probing questions as far as ah, what um, what led up to the assault or what happened after the assault?

No.

DET. Okay did you ever ask him where the assault took place?

No.

DET. Okay, um, any other questions that you asked him or any conversations that you had between you and him regarding the-the assault itself?

Um, just further questions as far as were there any other injuries were there head injuries um, any other injuries to the face or the nose or the eyes. Um, he denied any injury to the head, the face, the nose, the teeth. Um, he did complain of some ah, scratch marks to the back of his neck ah, which he said came from finger nails scratches um, otherwise he denied any other injuries. No loss of consciousness. No ah, no other neurological issues as far as headache, dizziness, or change in vision.

DET. Okay, ah, and I should have asked you this earlier but how long you been employed ah, as a physician's assistant?

With this company um two and a half years.

DET. Okay and in total?

Um, I graduated in 2007 so about 7 years.

DET. Okay, alright, ah, Detective ?

DET. I don't have any questions.

AUSA : Have you been a physician's assistant that entire seven years?

Yes.

Okay, and um, do you always work in the emergency department there at the hospital?

Yes.

: Alright and you've done that for two and a half years?

Yes.

: Other than what Officer Wilson told you regarding his complaints of ah, the jaw pain and the scratches to the back of his neck, did you, ah personally observe anything that drew your attention regarding his jaw or his neck?

Um, he-he just had a little bit of redness to the right jaw um, and-and some pain to the right lower jaw line um, and-and very little pain to the left lower jaw line and then he did have some very ah, faint scratch marks to the back of his neck.

: Okay and you-you personally observed those?

Yes.

Were you the person that ah, the-the primary person to treat him while he was there?

Yes

ATTY : In regard to the scratch marks where you able to tell whether they were fresh or old?

Um, they-they appeared relatively fresh um, they were just a little pink in color um, but there wasn't any scabbing or anything that would otherwise indicate that they were old.

ATTY : What about the observations to his jaw could you tell anything um, about how old or new that appeared to be?

Um, you know just a little bit of the redness was starting to develop as well as some bruising um, so I-I-I yeah I could tell by that it was relatively new um, as things were just being to progress as far as the-the redness and the bruising went.

ATT Would you be able to tell um, if was an injury that was almost healed versus being fresh you see what I mean is there like a distinction?

Well in terms of the bruising, um, ya know, the bruising is gonna start to-to...it's gonna ah, at first be more of a red to a purple color and then as thing progress it will turn a little bit darker and then to, ya know, to a green and then a yellow color. Um, like a days to a week later so since that kinda purple discoloration was just starting to develop, it-it had to have been a new injury.

ATTY : And when you say new and if you can't answer that, it's fine, um, do you mean in terms of new as in hours, new as in days, new as in minutes?

Um, probably new as in-as in minutes to an hour.

ATTY : Okay.

AUSA : Ah, as a physician's assistant are you licensed to prescribe drugs?

Ah, yes just not controlled substances.

AUSA Okay, alright. And ah, so would you have actually prescribed the ah-ah, naproxen or was that a doctor who did that?

That was myself.

AUSA Okay, alright. And ah, what is naproxen and why did you proscribe it?

It's a-it's an anti-inflammatory medicine. It wou...it's essentially um, prescription-strength Aleve.

AUSA : Uh huh. Okay, and what was the reason for prescribing it?

Ah, just for the-the inflammation and the discomfort that he was having.

AUSA Okay.

ATTY Can you describe ah Wilson's demeanor?

Um, he-he appeared calm, um, and-and no distress at all. Um, maybe slightly, ah, anxious but nothing out of the ordinary given the fact that he was present with his supervisors and he had just sustained and injury. But um, most people would present in that type of manor with this type of injury um, but it-it didn't seem out of the ordinary at all.

ATTY : And do you remember the name of the supervisor who was with him?

And no. They-they did not address them-themselves to me.

ATTY : And, the way that...the report was written and the way you described it, was that they asked for x-rays... was it the supervisor that asked for x-rays or Wilson or all of them?

Ah, you know I'm not sure they-they asked for that specifically when they first walked through the door in triage um, that was what the triage nurse had written initially in the note.

ATTY Did you know the background of everything that had occurred? When you meet with him?

No-no-no. It wasn't um, but maybe an hour or two hours after he had left that we become aware of what had happened.

AUSA Had you dealt with police officers in similar situations before in the emergency department?

Yes.

AUSA Alright. About how often do you think if you can characterize it?

Oh, I would say maybe once every couple months probably they will come in for minor injuries that they sustained during an arrest .

AUSA : Alright, and had you ever come across this officer before Darren Wilson?

No, not that I recall.

AUSA Alright, let me ask you this were the um, injuries that he... strike that...the ah, were the injuries you personally observed the things you personally observed on his body were those ah, to the best you can tell, consistent to what he was reporting to you?

Yes.

AUSA It sounds like you have independent recollection of this it wasn't that long ago obviously...

Right, yes.

AUSA : ... okay as opposed to just having reviewed the records?

Right. No-no -I-I recall the events yeah.

AUSA : Alright.

ATTY I just have some questions about the language...

Sure.

ATTY ... in the report

Uh huh.

ATTY ...which it may be obvious but I just want to ask you so that I know that I'm not incorrectly interpreting it... bilateral jaw pain what does that specifically mean when you write bilateral?

Um, both sides.

ATTY : It says he has both TMGROM what does that mean?

Uh huh, temporomandibular joint which is here and ROM is range of motion so he was able to open and close his mouth um, easily without any issues.

ATTY : And when you said here just because we are recording and someone else might listen to this you mean like right below what area are you pointing to right below your...

Um, it would be-it would be just in-in front of each ear um, where the the jaw opens and closes at that joint.

AUSA : We talked a little about the x-rays what were the results of the x-rays?

They were normal there was no fractures...

ATTY : Um, also I don't know if you wanna look at the report just so that I'm looking at page eight and under that first heading of exam...page six, I'm sorry that's my fault. I...and so you have exam and then you have constitutional head, eyes and then ENT, can you-can you just translate that section of ENT? Can you just tell 'em...I mean most of it I understand but toward the bottom you talk about like I said TMJ and full ROM, um, but then you say minimal (UI) orbital left in the auxiliary region could you just explain in laymen's terms what all that means?

Oh, okay the ah right mandible, mid mandible that section there?

ATTY : Well, that whole ENT section.

The whole-the whole ENT (UI).

Oh, I'm sorry okay. Okay-okay, so um TM's are ear drums so the ear drums and the ear canals were normal, um, so that they were not ruptured. There was no redness or swelling to the area. Ah, not rhinorrhea means ah, his nose was not running. Um, no obvious nasal injury meaning that there was no swelling or deformity to the nose itself. No epistaxis means that his nose was not bleeding. Um, normal pharynx is ah, normal throat. Um, his tonsils were not enlarged. Um, the inside of his mouth was pink and moist which is normal. There was no redness ah, no exudate, which is like a-a mucus or a drainage from the tonsils so that was not present. Um, the right mid mandible is the lower jaw line so kinda in the um, kinda just below the cheek area of the-the jaw and the right mid maxillary region which is just above kind of near were the upper teeth line would be. That's where he had a little bit of pain when I pushed on there. Um, there was no swelling to the area no deformity and no crepitus meaning that there was no sensation of um, bones moving under there which would sometimes indicate a broken bone. Um, mild ecchymosis which is bruising was developing to the area. Um, and then again no-no ah, pain when I touched his temporomandibular joints which are um, kind of up by both of the ears and then again he had full range of motion to his jaw. Um, he had a just little bit of pain when I touched to the left um, mandible and left maxillary region on the-the opposite side um, without any evidence of

um, swelling or bruising or redness or-or anything um, and then he had no obvious injury to his teeth.

ATTY Thank you...

AUSA : Is there anybody else in the emergency department that would have observed his injuries that day?

Um, the nurse ah, which is a

ATTY Do you know if he spoke to anyone else that day while-while in the-while in the, in ER?

: Did the officer speak to anybody else?

ATTY Yes, sorry the officer.

Um, he-he probably would have spoken to our x-ray tech as he was taken down for x-rays um, and he would have spoken with our registration as they-they put him into our computer system.

ATTY : Okay. And, do you know who that would be either one of those people that day?

I do not right off hand I'm not sure if that actually shows up in the...

She's looking at page 10 out of 11.

ATTY Okay thank you.

So it looks like would have been our registration... and then it also looks like um, she's our tech. She would have probably taken his vital signs that day.

DET. So during registration um, is it typical to ask any questions about the injury itself or...

Yes, yeah, they-they would have been the ones to ask um-um you know, obviously "did it occur at work um?", possibly "where did it occur?", um, and then they would ask very brief questions as far as what happened what injuries did he sustain.

DET. Okay.

ATTY And I know the s name is on...

Yes.

ATTY

... here the doctor did he have any interaction with him?

No-no. He's a...he was our attending physician that was on that day um, but um, our ER is separated from our main ER to our express ER um, so I-I run our express ER and that's where officer Wilson was seen um, so doctor was present in the building but he-he was not involved in the care...

AUSA

:

I don't have anything else ?

DET.

is there anything that we didn't ask you that you think is important as it relates to your interaction with the patient that day?

Um, no I don't think so.

DET.

Okay that will conclude the interview the time now is 9:26 a.m.

November 12, 2014

7:20 p.m.

Special Agent = SA
Asst. U. S. Attorney = AUSA
DOJ Atty. =
Dr. = Dr.
Unintelligible = UI

SA : Today is November 12, 2014, the time is 7:20 and we're at the FBI building in St. Louis, 2222 Market Street and in the room is Assistant United States Attorney and DOJ Attorney , and if you could state your name and spelling it.

DR. : , .

SA : Okay.

AUSA : Alright Dr. ah, thanks for meeting with us tonight. Um, I ah, just briefly before we get into the actual a autopsy, your findings regarding the injuries to Michael Brown. Ah, it's ah, my understanding, ah that you um, you have a pretty high opinion of the St. Louis County Medical Examiner's office just from what I've seen and statements you've given, etc. Do you have any experience with that office prior to this case?

DR. : Well, I've-I've had experience with .

AUSA : Uh huh.

DR. : I really don't know the person that did this autopsy but I (stutters) she's a very ah, fine forensic pathologist.

AUSA : Alright, and she's ah the a head medical examiner there...

DR. : The Chief Medical Examiner...

AUSA : ...right, yes right.

DR. : ...in St. Louis.

AUSA : Okay, alright. Have you dealt with her before?

DR. : Um...

AUSA : Or, do you know her just by reputation?

DR. : No-no-no. I know her from meetings and over the years I've had some kind of cases involving St. Louis County including, well a-a recently some ah, case with the Coleman case in which a, a wife and two children were

killed. I...and somehow was within the Illinois-St. Louis major Crime Squad jurisdiction.

AUSA : Alright.

DR. : And we had some tangential ah, um, contacts with them.

AUSA : Okay, and so, you know Dr. the Chief Medical Examiner?

DR. : Yes.

AUSA : And, you've had good experience with her?

DR. : Yeah.

AUSA : Alright.

DR. : Yes.

AUSA : And ah, I think you've described her as-as excellent or ah, as a first rate. Is that fair?

DR. : Ah, she's...yes. She's good.

AUSA : Okay, alright. Um, I understand today you had the opportunity to review some additional items that you hadn't reviewed previously...

DR. : Yes.

AUSA : ...um, in connection with this case. Can I ask what it was that you reviewed?

DR. : I reviewed the um, photographs and x-rays of the decedent taken by the medical examiner office personnel, some microscopic slides that they created.

AUSA : What were the slides?

DR. : Ah, there were slides of um, one of the gunshot wounds with the right palmer gunshot wound skin and um, then there was also slides of tissue removed from the police car and-and they made it into microscopic slides and then I went over to the um, police headquarters where they have a, crimes labs and things and reviewed their photos of the autopsy which were much better ah, and um, the clothing of um, Mr. Brown that was kept there and ah, um, um so that was largely at the clothing and the um the photographs. This-this is with the disk...this is what I was looking at just before you came. Ah, they had taken photographs

before the autopsy. And the ones at the medical examiner's office were after the autopsy so then they were taken...they took lots of 'em.

AUSA : And you had not-you had not had ah, at-at...you had not reviewed those things prior to today?

DR. : I had no opportunity to see them previously and um, til-til today. Either in the medical examiner's office or in the police department.

AUSA : Alright.

DR. : And, I had no opportunity to look at the clothes which ah-which ah they have in the police department.

AUSA : Okay. And, so you saw those things today.

DR. : Yes.

AUSA : Alright. Um, you've um, ah, in-in previous statements and again I...as-as I've told you I don't intend to get into ah, every ya know, statement that's been in the media or anything like that but in previous statements you've mentioned that you're aware obviously that ah, the Department of Justice requested that a third autopsy after the one that you conducted?

DR. : Yes, I'm aware of that.

AUSA : Alright, and did-did you have any opinion about that or it-it just based on your experience that-that-that's sort of a...is that something you've come across before where you've had three autopsies in a single case or...

DR. : Yeah, in fact with the FBI that-that, down in New Orleans a time ago and ah, from the AFIP ah, people. Ah, it-s-it-s-it's unusual to have three autopsies but it-it-it can happen and um, and a lot depends on the individual...I don't know who did the ah, third autopsy but a city like St. Louis; a city like New York sees lots of shooting cases. F the um... a AFIP or whoever they-they use I don't know, doesn't see too many so it's ah, it...ah, hom...federal homicides aren't that common.

SA : And when you say AFIP you mean Armed Forces Institute of Pathology?

DR. : Yeah, that's what usually, they used to get people to come down it depends...they have some good people and some not so good people that...

AUSA : Uh huh.

DR. : ...from a forensic pathology point of view that pass through there.

SA : Okay.

DR. : So, I don't...

AUSA : I think they typically would deal with well, various things but for example service members returning who've obviously died in-in a...

DR. : Occasionally. Most service members are not autopsied but when they do autopsies, something comes up that they ah-ah they can do it in what Delaware or a Hawaii through the ah-ah federal government.

AUSA : Alright.

DR. : But it's, that's not common.

AUSA : Okay. You've-you'd expressed um, before that um, although it might not be a typical but it's in fact rare that ah, you didn't feel that it was inappropriate necessarily to have a third autopsy in this case?

DR. : No, I don't think it's inappropriate.

AUSA : Okay, alright. Um, I think you suggested before that it-it shows that there's a concern by the federal government regarding this case that they would get a third autopsy ah, at the request of the Justice Department?

DR. : Yes, that would be my opinion.

AUSA : Why don't we talk about your ah, the just generally the autopsy results...what you found, the injuries you found on Michael Brown's body. Um, I-I've ah, we've reviewed the ah, news conference ah, that you had on August 18 of 2014.

DR. : That was on ah, day one after I had looked at the autopsy.

AUSA : Alright. And who the autopsy was actually...was that on August 18th? Was that on the 17th? When-when was it that you actually um, were ah, with the body of Michael Brown? Do you recall?

DR. : (UI)

AUSA : This-this might help you out too. I've got ah, I have...does this look like the diagram that you and ah Mr. (ph) produced from the autopsy? If you want to take a look at that, and that's dated and signed, so that might help-help you also.

DR. : Yeah, but it...hold on. This was something that I gave to the family that they asked for.

: When you say the family, you mean Michael Brown's family?

DR. : Ah, to the lawyers for them, Mr. and all the family.

: Okay.

DR. : And they decided that they had some relationship with the times in there but, and ah, let me see, ah...I'm sorry. I don't have the exact date. I haven't written up a report yet.

AUSA : Do you anticipate doing that?

DR. : It was a...

AUSA : Do you anticipate writing a report to this case?

DR. : Yeah-yeah. And after I've...since I've seen the material it gives me more, enough information to write a report but, it's not gonna be immediate. I came down, I'd have to look at my...I don't have my calendar. Yeah, I don't have my calendar here but it was ah, I forget...ah, what day was a, was the 19th?

AUSA : If the ah, well this-this is ah, I think that's the 17th on there, I think it's a...

DR. : What day is the 17th then?

AUSA : Ah, the 17th would've been a Sunday. August 17th was a Sunday. Ah, August 18th was a Monday. That was the date of the news conference. Does that sound about right?

DR. : It's sounds like I would've done the autopsy on the Sunday, news conference on a Monday...it was in the morning, right about 10:00 or something?

AUSA : The news conference?

DR. : Yeah.

AUSA : Yes, right.

DR. : Something like that.

AUSA : Right, okay.

DR. : That was...pur-pur-pursuant to the family's wishes at that time.

AUSA : That's fine.

DR. : So, on Sunday did the autopsy and um, and a then spoke to the family and discussed it with the family and then they decided they wanted to have a news conference the next day.

AUSA : Alright. And so you think that they, you actually conducted the autopsy the day before the news conference?

DR. : Yes.

AUSA : Okay. Alright, so the news conference was on August 18th of 2014, um, then the autopsy would've been the day before.

DR. : Right.

AUSA : Okay. Um, I-I noted at the news conference you and ah, Mr. (ph) stressed that the-these were preliminary findings and you talked about certain things...

DR. : You keep mentioning Mr. (ph) he's there, he was assistant. But, yeah, that they were preliminary find ah...findings ah, ah based on ah, the information we had available at that time noting that when I saw the body to begin with, the body had already been autopsied and embalmed. See, they didn't call me for about nine days or so. So then in the interim um, things had been done to it. It's a preliminary...yeah, preliminary and eventually even now, I'd be giving more ya know, pretty much ah, what my present findings, op-opinions are.

AUSA : Alright and what we talk about tonight, I would assume that that would be a consistent with whatever it is you're gonna put in your report when do you prepare the report?

DR. : As of now unless they have more information which, a there things we've asked for them to get like the ambulance report and um, other information that may, that I gave 'em a list of what I needed and I didn't get that. I still would like to see the a other things that we haven't received. We-we received things like a this is what-what a, I requested after I was asked to go up to the Grand Jury and that's what I've got...as much as we did today.

AUSA : Alright, and you were, these are requests you made of ah, St. Louis County?

DR. : Yeah.

AUSA : Of the prosecutor's office?

DR. : The prosecutor...or the prosecutor ah, asked Mr. McCulloch...I didn't speak with him. I spoke to a, if the lawyers, ah, Mr. lawyer a that I couldn't really testify unless I had more information. Now I've got more information and...

AUSA : Okay, so barring, barring...

DR. : So this isn't a hundred percent.

AUSA : Sure.

DR. : But, I mean it's...

AUSA : But-but barring any other developments or-or new information that you get you would expect obviously that what we talk about tonight is gonna be consistent with what ends up in your report.

DR. : As of today.

AUSA : Alright.

DR. : I know as of today. If there's any changes, the deviations would be slight. I mean this is 95 percent of what my report is saying.

AUSA : Okay. And that's a, and that's fine. Ah, I don't, yeah, I think we can um, talk ah, generally about the autopsy results without...I mean there some detail obviously we need to get into but I don't think there'd be anything that-that you would expect to change. We can-we can see. Um, if there is, if you think that there's something that might change going forward um, based on additional information that you would want then let me know, although I understand you're not a fortune teller. Okay?

DR. : Yeah, but if I...if anything significant happens and if you give me one of your numbers I'd be glad to tell you...

AUSA : Okay. Great.

DR. : ...down the line.

AUSA : Right-right-right. And I've-I've given you my card. You can feel free to...

: And you have my cell phone number so you can program me in.

DR. : Yes, we have it now, definitely.

: Yes.

DR. : We have your, all your numbers.

AUSA : In any event, the news conference obviously at that time you'd mentioned that these were preliminary findings.

DR. : Right.

AUSA : Today, you're closer to sort of...

DR. : Right.

AUSA : ...final findings, 95 percent you put it at...

DR. : Right.

AUSA : ...an estimate and that's-that's fine, okay.

DR. : Yes.

AUSA : Um, can you tell me about the ah, a-a let's...why don't we start with the gunshot wounds and um, ah, again I've got the diagram here. I don't know if you wanna take a look at that or whatever. A..

DR. : No (UI)...

AUSA : ...Alright, if you could just kind of take me through the-the injuries that you found on the body beginning with the-the gunshot wounds.

DR. : The gunshot wounds beginning, because there are other injuries you a. Um, going down in, from top to bottom and not neces-sarily at all the order in which they were inflicted, just um, there's one bullet...ah, gunshot wound in the vertex, it goes down and to the right and is recovered from the ah, right cheek area and that's a lethal shot, immediate loss of consciousness by itself. There's another um, complex a series of injuries in the forehead and around the right eye which in summary as the bullet enters the right forehead above the eyebrow and then goes down-downward through the eye and through the orbit causing fractures and ah, exits the right jaw...the side of the right jaw. Now, where a different, with the St. Louis ah, people ah, which is a-a forensic pathology importance but not of general importance, it goes then into the...through the right clavicle. So, it comes through and exits the right jaw and re-enters the right clavicle, they're right next to each other.

AUSA : Uh huh.

DR. : And the difference is that as I read the-the um, the um, official report that's considered a separate wound.

AUSA : Uh huh. Now, in the-in the St. Louis County Medical Examiner's report they don't necessarily say that that's a-a separate and apart from the shot to the head but they don't, also don't say that it's a re-entry. Basically, they just don't express an opinion, is that right?

DR. : Not the way I read it.

AUSA : Okay. And, how do you read it?

DR. : That, there's a-there's an exit wound that disappears and that there's an entry wound that that goes through the clavicle and ah, through the lung and by around the right third rib and is recovered at the autopsy at the third rib.

AUSA : Uh huh.

DR. : And the way I read it is they-they figured that that's a separate shot.

AUSA : Alright. Now, is there-is there anywhere you can point me to in the St. Louis Medical Examiner's report where it states that definitively is not a re-entry wound? I understand that they count that as a separate entry but is there anywhere where they say that it's-that it's not a re-entry wound?

DR. : Ah, I'll show you where...

AUSA : I have a copy here too if you'd like to see it.

DR. : No-no-no I wanna see 'cause I have some notes here on it, but ah...

AUSA : Okay.

DR. : ...in the um, I didn't speak of interest was that when we got to the office this morning Dr. and Dr...the doctor who did the autopsy were not there. Usually when you go to second autopsies it's always better to be able to communicate with the-with the um, people from the first autopsy so that everybody's looking at the same thing, ya know. It gets more confusing if a, if there isn't a the second...we invited them to come down on the second autopsy, ya know the a the when we did the second one and to like to that it a makes for less confusion. 'Cause usually when people see the same thing they have pretty much similar opinions. Well, I'll a, here let's see...ah, I have notes...yeah, here's one I can get notes on the ah so yeah, so here we're talking about the note...the-the gunshot wound in the...

AUSA : The right clavicle.

DR. : ...right clavicle. Ah, that's number four in their-in their list.

AUSA : And, what page are you referring to there?

DR. : Page...these are un...unnumbered pages...

AUSA : Oh yeah.

DR. : Undated reports in here, ya know, but-but here it's-it's a this number four.

AUSA : That's para-numbered paragraph four?

DR. : Yeah. And that would be the entrance wound in the upper right chest, ah, 16 centimeters below the lower right external (UI) and that-that also um, coincided with the-the shirt that I saw today has a bullet hole right at the upper rim of whatever you call the collar around a t-shirt. What's the right name for that?

: Collar sounds good to me.

AUSA : Collar. That's fair.

DR. : Ya know, whatever. 'Cause there's a cu-there's a-a-a perforation there and in the um, in there, of which at the end, see here it says on-on the, this page right here where they have a final summary of their in...it a under Roman numeral two gunshot wound's of chest...is entrance upper right chest and I interpret this as that's number 2A is separate from number 1B.

AUSA : Okay.

DR. : Number 1 and when they count them up, we both arrive at similar numbers but using different a-a...like I'll use the grays as my numbers and things, which they don't use, so-so ah.

AUSA : Uh huh. Okay.

DR. : So...that-that-that's my understanding. I think if-if you spoke to them, I guess you have spoken to them ah, that would be their opinion. A 'cause I think this is presented as...it-it doesn't make any difference as far as except the number of gunshot wounds so instead of three bullets hitting him in the vertex face, chest, and-and other chest, below the chest, that's four and-and the trunk in my opinion did three.

AUSA : Okay, alright. And, ah, I think-I think you'd said initially at the press conference that there might be-there might be two, there might be several re-entry wounds. There could be two re-entry wounds.

DR. : Yeah, I said, right...I said there's at least six maybe up to eight because...

AUSA : Uh huh.

DR. : ...there were two wounds here and-and ah, and the lower one which um, could...which looked like they are re-entry wounds because they line up with other gun, bullet wounds but because of the embalming and the changes the appearance of the ah, and of the perforations you know the abrasion collar, and the ah, where the circular or oval size ah, has been um, changed a little bit because that's goin' on. So, I said between six and eight and I give 'em number six. But ah, here I...it said one of them I think is re-entry and one of 'em isn't.

AUSA : Okay, alright. That's fine.

DR. : In my opinion-in my opinion.

AUSA : Right.

DR. : So, it's a little different with the...I think with the-with the ah, what I read, the way I read the report. But, it's a difference, ya know, for forensic pathologist. It doesn't matter for I-I think in evaluating the case.

AUSA : Understood. So, but what you're referring to, I mean, you inter...that's you interpretation of the St. Louis County report as they refer to for...let's as an example the shot to the forehead over the right eye that goes through the ah, the orbit and exits the jaw. Your-your opinion is that-that would be then what that-that particular bullet would exit the jaw and re-enter the right clavicle.

DR. : That's right.

AUSA : Okay. Ah...

DR. : And the others, no doubt the reason for the way it looks and the fact well what ever happened what else happened to the bullet? Ya know, it did...it doesn't just disappear. It had to hit something on the way out, ya know.

AUSA : And, but that's my-my question is just from the St. Louis County um, ah, autopsy from the medical examiner's autopsy, um, and I understand your interpretation of the report because it basically it refers to

separate entry wounds...the entry wound to the forehead and an entry wound to the clavicle, is that right?

DR. : Yeah.

AUSA : But, is there anywhere in that report where they-where they specifically say that-that right, the right the wound in the right clavicle could not be a re-entry? Is there anyway that it's...

DR. : By just-just the way they-they-they list all their entry wounds here and they list that as an entry wound is the way I interpret it. There's two entry wounds in the head; two entry wounds in the chest; gunshot wound...two gunshot wounds of the arms, so that's ah, ya know, that's the way I read the report. (Phone rings)

AUSA : Alright. That's fine.

DR. : My-my wife is...(stutters) it loves Clint Eastwood.

AUSA : Alright, the ah so we've talked about.

DR. : That's not her.

AUSA : We've talked about...

DR. : But I mean she make, she does all the technology.

AUSA : Oh, she set up your ring tone?

DR. : She's my IT, she's my IT person.

AUSA : Ah, so we talked about the gunshot wound that impacts the head. We've talked about the gunshot wound to the forehead above the right eye, in which in your opinion is a ah, that exited the right jaw and then re-enters the clavicle.

DR. : Right.

AUSA : Right. Um, so then we've talked about the wound to the a, to the right clavicle. Um, from ah there can you tell us about...you also mentioned briefly another wound to the chest, can you tell us about that?

DR. : Yeah, then there's a um, a-a wha-what's considered here um, very confusing autopsy report this is. If we go into wound into number five on-on that series that we were before...

AUSA : Uh huh.

DR. : ...gunshot wound of-of the lateral chest a 20C and below the level of the ear. Ah, and um, that's a separate a wound. That was one of them that I wasn't sure about but it...I think it's a separate wound and that gunshot wound goes in the soft tissues of the back and through the eighth rib and right lower lung so that causes ah...the upper one goes to the right-upper through the right upper lobe of the lung and the lower one goes to the right lower lobe of the lung a and it also causes the fractured ribs that can be seen in the x-ray. They have lots of good x-rays, so...

AUSA : And, you saw those today?

DR. : Yes.

AUSA : Alright.

DR. : Yes.

AUSA : Alright. And so, it-it sounds like then, ah, after reviewing those things today that your-your opinion is that the shot to the forehead that exited the jaw then, it's a re-entry into the clavicle.

DR. : Yes.

AUSA : The other shot to the chest might be...are you saying whether you...can you say whether it is or not?

DR. : No, now I think it's a...yeah, it's a separate wound.

AUSA : You think it is a separate wound.

DR. : And then in correlating the clothing 'cause I saw the shirt today.

AUSA : Okay.

DR. : I mean it's a separate a, um, a separate a, um shot that struck him.

AUSA : Alright. Okay. Um, and then ah, so that brings us then to the a wounds to the right arm. Can you tell me a little bit more about those?

DR. : Yeah, there's a one um, wound to the right upper arm ventral...ventral means front, and goes in the right upper arm and comes out the-the front then comes out the back. There's one graze wound through the biceps and it only goes through the-the skin and a-a little bit of the muscle below without enough information as to which direction it was coming from. Both going from right to left; left to right, ya know, front to back; back to front so that-that ah...

AUSA : And, why is that? Why is, why can't you determine...

DR. : Because it doesn't a, there's no a, it didn't penetrate sufficiently to give it characteristic of an en...of-of...which is the entrance and which is the exit. And um, it-it was too superficial for that. And um, it's also and looking at the clothing and this is, it's so, it's so blood soaked that I can't tell...sometimes you can tell with the clothing but I-I couldn't tell today.

AUSA : Okay.

DR. : Um, and that didn't in-injure or hit any important structure itself. And then there's a-a-a wound of the forearm which I agree with the doctor here that enters the back of the forearm and comes out the front of the forearm.

AUSA : Uh huh.

DR. : Just goes in the front then comes out the back that comes out of the back goes to the front. And then there's the-the a palmer one that hit, that's hits the palm.

AUSA : Alright, now when you're referring that a, shot you the that the medial aspect to the forearm, ah, the one that you referred to that go...enters the back...

DR. : Yeah.

AUSA : ...and-and comes out of the front of the forearm.

DR. : Yes.

AUSA : Does that then, definit-definitively tell us that Michael Brown was shot from behind?

DR. : It...I think it's good evidence for that um, it would occur if-if ah, his hands were in the air say and-and-and shot from behack, a behind. It could also be that if it were a-across his chest, say, here's the back and I go across the...it's the...it could come in here but if it came in here, expect something to come through.

AUSA : Uh huh.

DR. : And we don't have any evidence for that, ah, so I-I think it's definitive evidence that the weapon at the time of discharge was behind him...

AUSA : Um huh,

DR. : ...behind from back.

AUSA : You think it's definitive evidence of that?

DR. : It's a-it's definitive evidence of-of coming from behind. Now, the-the a arms can be twisted in different forms so that if I have my hand here, that-that would (stutters).

AUSA : And, just for the tape you have-you have your arm in front of you. Right?

DR. : Yeah, if I ah, so my palm is against my chest.

AUSA : Uh huh.

DR. : So I've twisted my arm around. Ah, and that has to be judged by witnesses, ya know. Ah, did anybody see him with his hand across his chest at the time of the shooting? I know there are people that say his hands were up at the shooting. That would be consistent with hands up at the time of the shooting.

AUSA : Uh huh.

DR. : Now, it could've happened other ways but whatever happened, the muzzle of the gun has to be pointed at the...

AUSA : At the back of the arm.

DR. : ...back at the time of-of the shooting.

AUSA : Right. Not...

DR. : So, it's not 100 percent definite.

AUSA : Right.

DR. : A-a because the arm is mobile enough to be twisted.

AUSA : Okay, alright. And that's-that's, well that was my question, is...basically it's not definitive evidence necessarily that the muzzle of the firearm was behind Michael Brown at the time of the shooting. Is that fair?

DR. : It-it was behind the-the forearm at the time of the shooting but the forearm could take different positions like the back can't, 'cause the back...

AUSA : Right.

DR. : But ah, the...there's enough mobility in the arms that what would be the normal back position might be changed ah-ah-ah, depending how the arms move.

AUSA : Alright.

DR. : So, it's not 100 percent.

AUSA : And, is that the case with basically all of the wounds to the arm that you can't say precisely what the ah, location of the muzzle of the firearm was in relation to the arm because of the mobility of the arm?

DR. : Yes, that's a-a good way to put it. Yes.

AUSA : Alright. And-and that includes the one to the-the back of the arm?

DR. : Yes.

AUSA : Is that right? And, when you're talking about you talked about the normal position of the arm versus moving in all different...they are moving in all different directions. By the normal position, you're referring to the anatomical diagram?

DR. : Yes. The nor...a what a...the normal position to the medical examiner is the body at attention...palms forward. And we make all our...diagrams and all in that position. Most people who die while being shot don't assume that position so we have to go through what you're going through is ah, this is...if we know where the shooter is, 'cause often we find a dead body and ah, we don't know the position of the shooter, makes it even more complicated but since um, I guess it's-it's known the approximate position of the shooter then um, there are only limited number of positions that the arm could be in. One is back, a hands up. Another could be facing the hands in front for example, and that would depend on your investigation on the circumstances and...

AUSA : Alright.

DR. : ...who is a credible witness and who's not and do you have video tapes and stuff like that. (UI)

AUSA : Alright. Yeah. So, in-in other words in order to come to a definitive conclusion regarding where the firearm muzzle was in relation to Michael Brown generally, you'd have to look at other evidence including witness statements and those kinds of things...

DR. : Yes.

AUSA : ...which is-is also a way in which you would determine the reliability or credibility of certain witnesses. Is that fair?

DR. : Yes.

AUSA : Alright.

DR. : Yes.

AUSA : You mentioned of course that the back, the-the back surface of a person is not obviously as mobile as an arm. You don't have the-the elbow and the wrist and the...

DR. : Right.

AUSA : ...and the shoulder, correct?

DR. : Yes.

AUSA : Alright. And-and so I think one example I've-I've seen you use just in a media statement and a, ya know, um, if-if you recall...is that if you have witnesses saying obviously that-that a Michael Brown was shot in the back, in his-in his back, and the autopsy shows that there are no entry wounds to the back, then that helps you to assess the reliability of those witnesses.

DR. : Yes.

AUSA : Is that-that consistent with what you would say?

DR. : Yes.

AUSA : Okay.

DR. : There-there could've been a number of things other than reliability. One could be that the witness honestly thought he was shooting and he missed.

: Right.

DR. : Ah, he's wrong, but not intentionally, other that it's intentionally wrong.

AUSA : Sure, right.

DR. : So, that's another-another level of things.

AUSA : I know, that's just an example, but...

DR. : Yeah.

AUSA : ...ah, in your experience, so how many years experience do you have as a forensic pathologist?

DR. : Fifty.

AUSA : Alright. And ah, in your experience thought, obviously it's important to compare the forensic evidence which would include the autopsy to other evidence like witness statements.

DR. : Yes. In every autopsy the autopsy can't be interpreted in a vacuum. It always has to know what-what um, other eviden...what-whatever information there is and invariably even if somebody gets shot and as-and as...I'm sure you'll know in the middle of the street and there are five ah-ah-ah witnesses and then or he's hit by a car and there are five witnesses, each one might give a little different version of what happened and the autopsy can help determine which-which versions are consistent, there may be more than one, and which aren't. And the ones that aren't consistent I-I would think, in my opinion, would be would make them less reliable as witnesses.

AUSA : Um huh. And that's one reason why we use autopsies as a tool, to be able to assess the-the credibility of-of witness statements.

DR. : Yes, that's...

AUSA : Alright. Okay,

: I need to ask you a question about that-that shot to the forearm and then the shot to the-the chest. You had said today having looked at I guess the clothes, you think it's a...you wouldn't see it as a re-entry wound. But, initially you thought that the chest wound was possibly a re-entry.

DR. : Possibly yes.

: From the, from that-that forearm shot?

DR. : Ah, I was thinking more of the upper arm shot.

: The graze shot.

DR. : Because it was more in line with it.

: Okay.

DR. : It was...although-although now that I see the photos, you see I saw the body after it was sewed up. That is further down than-when it was sewed up so that ah, the possibility could exist of this being a re-entry wound too. I don't think it is but that's a possibility.

: So-so it's possible that the re-entry wound on the chest came from the, where the wound, I'm sorry, the wound from the chest was a re-entry wound from the forearm shot.

DR. : I-I think it's possible but I-that-that's...

: Okay.

DR. : ... not my opinion the way the-the it all looks.

: Okay.

AUSA : Alright.

DR. : Yeah, but that...I couldn't be (UI).

AUSA : So you-you feel stronger about the shot to the clavicle being a re-entry than the shot to the chest and near the nipple?

DR. : Yes.

AUSA : Okay. But, you think it's possible still that the shot to the chest near the nipple is, may still be an entry wound?

DR. : It could be possible because of all...you mean I-I think the one in the lower chest is-is from what I've seen now, is an entry wound.

AUSA : Okay.

DR. : Not a re-entry wound.

AUSA : Alright.

DR. : But um...

AUSA : It's possibly a re-entry wound.

DR. : Yeah.

AUSA : Okay, alright. Um, and again that might be something that other evidence may be able to give us more indication of. You can't say for sure but just based on your autopsy, is that fair?

DR. : Tha-that's right. And it has to be correlated with other things.

AUSA : Alright. Okay. Um, and ah, we talked a little bit about ah, shots to the back or um, shots coming from behind in-in-in your autopsy or any of the other things that you've seen, have you seen any evidence of any gunshots to Michael Brown's back?

DR. : No.

AUSA : Or to his buttocks or the back of his legs?

DR. : No.

AUSA : Alright. At the ah, news conference on August 18th, um, when ah, Mr. (phonetic) was doing a, a sort of a brief summary of the findings and he had the ah, the diagram...does this look like the-the diagram that...

DR. : Yes.

AUSA : And I don't know if you have your own copy or, that looks like the diagram that was being used though?

DR. : Yes.

AUSA : Okay. Um, he ins-he indicated, we've talked a little bit about, actually quite a bit about the gunshot to the medial aspect of the right arm to the forearm. Ah, he indicated at that time that ah, your findings were that it might be consistent with Mr. Brown jerking when he was shot while going away from the police officer. Is that right, that it could be consistent with that?

DR. : Say it again.

AUSA : Alright, at the-at the news...and I think we've already covered this somewhat I'm sort of retracing some ground...

DR. : But-but...

AUSA : ...at August 18th of 2014...

DR. : Yeah, I know we talked about it.

AUSA : ...the new conference. He indicated that the shot to the right forearm that entered the back of the forearm and-and ah, exited the front that-that could be consistent with Mr. Brown being shot from behind. The police officer standing behind him and shooting at him...

DR. : It could be but (UI).

AUSA : ...as he's going away from the police officer.

DR. : Yes.

AUSA : Okay. Ah, he indicated it could also be consistent with ah, his hands being up, is that right?

DR. : Yes.

AUSA : And, I think you've indicated that tonight.

DR. : Yeah, that's, could be.

AUSA : He indicated it could be consistent with his arm sort of in front of him-front of him in a defensive position or up around his chest.

DR. : Well, yeah, possible, but unlikely.

AUSA : Okay. And, but it could be consistent with that.

DR. : Yes.

AUSA : Alright. And, he indicated that at the time.

DR. : Yes.

AUSA : I mean, you would agree with that?

DR. : Yeah.

AUSA : Alright. He basically said we don't know because of the mobility of the arm. We just don't know exactly what position the arm might have been in at the time of that shot. Is that fair?

DR. : Well, the-the problem with that is um, to the extent that there are witnesses who say that the arms were up um, it's entirely consistent with that.

AUSA : Uh huh.

DR. : I haven't seen anybody saying the arm was in front of his chest. But I think...

AUSA : Okay, well if I represent then, if I represent to you that there are witnesses who have his arms in front of him or either in a defensive position or in front of him for one reason or another, that would be consistent with-with that.

DR. : It would be except that he's bleeding. Ya know, I mean he has a bloody wound on his hand and ah, nobody saw blood coming down on, ya know, on his chest and all but...

AUSA : Uh huh. And you, obviously you haven't had access to all the witness statements. Is that right?

DR. : I haven't had access to any witness statements...

AUSA : Any witness statements, right.

DR. : ...except what I read in the newspapers which I'm not sure how valid any of that is.

: Right, because, well before we went on the recording we had said something about your media statements and you said not everything that you said in the media...

DR. : Right.

: ...and they-it was portrayed that you said the media was accurate, right?

DR. : Right.

: Okay, so you mentioned the-the blood on his hand and you-and you were kind of pointing to your chest but his-his shirt was blood-soaked, correct? Yes, so...

DR. : His-his shirt was blood-soaked, right.

: So, you don't, you can't tell from looking at the shirt whether he put his hand across-across him?

DR. : No I can't, I can't.

: Okay. And then, and you also can...based upon I mean if we told you that there was witnesses who had his hands further down across his waist or up closer toward his upper chest, I mean all of that was consistent.

DR. : Yeah. One could ah, have positions where the blood can go through the back of the hand, come out the front...even if he was up in the like this, maybe and had a, and it went into a the clavicle. So instead of this one going in, that this one going in is (UI) if his head is down it's right against each other, ya know, that looked good to me. But it, it could be that, yeah an arm could come up. The arms can always do things that the rest of the body can't, ya know, as far as-as bullets go. And, yeah, it-it

could be any of the positions talked about the arm could've been any place in front and then it could've been a re-entry with that. Ah, and that depends on lots of things but, that doesn't mean I can't have an opinion on it. My opinion would be that the...say this is a re-entry from here and not from the arm...

: Alright, okay.

AUSA : Sure.

DR. : ...but-but just to, but that's not 100 percent.

AUSA : No, and all I'm getting at is that because of the mobility of the arm, it's very difficult in an autopsy to determine the-the-the location of the muzzle, the relative position of the muzzle of the gun to the-the individual who shot because the arm is so mobile. Is that fair?

DR. : That, when-when there are injuries to the arm, yes.

AUSA : Alright. And, I think that's basically what Mr. (phonetic) was saying at the news conference that we simply don't know because of the mobility of the arm. It's it's...that the-the shot to forearm is consistent with a lot of different positions that the arm could have been in, is that-is that fair?

DR. : Yes.

AUSA : Okay. Alright. I think ah, on August 19th, you were on Fox News with Megan Kelly and you said something ah, to the effect of that it-it could be consistent with his hands up, at his side, or running at the officer. I mean any of these or any of those are possibilities.

DR. : Yeah.

AUSA : You'd basically need more information from the investigation to know for sure, is that fair?

DR. : Yes. I mean, we can't tell by any of the wounds, we can tell from the autopsy how the wound enters the body and the position of the shooter. If we know the shooter and the-and the victim at the time, we can tell if the person is stationary going forward or going backward from an autopsy alone, 'cause you can get the same type of injuries.

AUSA : Alright. Um, in addition to the gunshot wounds we've talked about you- you mentioned that, in, with the gunshot wound to the forehead over the right eye that you mentioned that there were I think you just mentioned that there was kind of some complex things going on there.

DR. : Yeah. There-there's abrasions rubbing abrasions and a little deeper um, ah, lacerations outside of the gunshot wound but a-around the right on the upper and lower portions of the eye that are separate from the gunshot wound. Um, they could be drag ah, marks, one of the things that was interesting is sometimes when police recover bodies. They'll drag the body a little bit and you get scrapes. I-I don't know. Um, but um the police or whoever handles bodies, ya know, the from the medical examiners or whatever. But there are some prominent marks around the eye that ah, that I'm not sure what they're caused by. Now, I know they're-there's...if there was an altercation in the car and he was punched in the eye, in the area of the eye or something that could be a factor but to know some of that stuff usually in a regular case I would be given the ah, medical findings on the other person. I did request that and I wasn't given that and I understand that...

AUSA : You talking about the medical records of the police officer in this case?

DR. : Yeah-yeah. I understand that.

AUSA : Okay.

DR. : But ah, depending did he have injuries to his hands, did he really have injuries to his eyes, 'cause the initial report was he had blowout fractures of the eye and all that stuff. Um, that ah, and if so because it had to do with a-with a evaluation of Brown's hands, ya know. But, Brown's hands didn't show any injuries but that doesn't mean you can punch somebody and not have injuries.

AUSA : Alright.

DR. : Ah...

: So.

AUSA : Well, and let's-let's talk...

: I'm sorry. Can I just have one question. So, um, so Wilson's medical records would help inform you about the cause of the injury to Brown's eye.

DR. : Ah-ah-ah, to Brown...well a it-it would help inform me of what injuries that a could be accounted for by ah, Brown injuring Wilson on his hands and things and the cut on his arm, ah, and it could um, tell me um if any injury's on Wilson's hand might reflect something about his striking Brown, if there was a tussle going on.

: Okay.

DR. : If there's some kind of argument going on.

: But, Wilson's medical records wouldn't tell you about the gunshot wounds though.

DR. : Um, no-no.

: Alright.

DR. : Unless they took gunshot residues from his hands.

: Oh but I'm talking about medical records.

DR. : No-no but, that is in the hospital, if the shooter goes to the hospital they might take a, not-not the po...the hospital people...the police will come and take ah, gunshot residues from the hands to see who fired the gun and all that. But, we know here that Wilson fired the gun so...

: That's not really a question, right?

DR. : ...that's not an issue.

: Right.

AUSA : But the-the-the medical records of the police officer are just an example of additional evidence that might inform you more about the larger context of how Michael Brown died. Is that what you're saying?

DR. : In general yeah.

AUSA : Okay.

DR. : In that regard too, I mean, one information about um, whether or not the findings on Brown is consistent with the findings-findings on Wilson and also it goes to a broader picture ya know, was-was Wilson ticked off at him? Was a, was Brown ya know unduly ah-ah um acting in a-in a reckless matter at that time but that goes more to your guys than to the autopsy findings.

AUSA : Yeah, and I, we'll talk about that a little bit more here in a minute. I wanna...I do wanna get to that. But, as far as the abrasion to the...the abrasions to the right side of the face, you describe 'em as sort of scrape marks.

DR. : Scrape marks and deeper than scrape marks. I have pictures of 'em here. I didn't know if you wanted to see them.

AUSA : Yeah. That's...we've seen 'em.

DR. : But they're-they're-they're beyond bullet wound of the a face because the bullet wound does a lot of damage to the eye but not to the surrounding...

AUSA : Uh huh.

DR. : ...and when I saw the photographs today that were taken before the autopsy, those marks are much more prominent than when I saw the body after it was embalmed because the embalming kind of diminishes the-the a prominence of the scrape wounds.

AUSA : Well and let me ask you that. At-at-at the news conference on August 18th, I wanna ask you if that's...you still consistent with after having seen the pictures today, you'd said that it um, it appeared it could be consistent with him falling on the ground, sort of unprotected with- without putting his hands down basically just falling flat to the ground on his face and ah, rubbing against the ground is the way you put it at that time. Would that-that, is that still consistent?

DR. : Yeah, it'd be some, yeah some rubbing against the ground.

AUSA : Uh huh.

DR. : Now, rubbing against the ground could be he was being dragged by his feet or something or it could be that even with his brain damage he had seizures or fits or something.

AUSA : Uh huh.

DR. : And I don't have any of that information where he rubbed his...where he's un...in a coma unconscious but he still rubs...sometimes as the brain stops functioning the seizures can occur and if the seizure...I don't -I don't if he actually the surface of the ground he was on, how firm and rough it was, ah, that could account for the abra...but it looked like rubbing against the ground.

AUSA : Alright. Could that, in addition to the things you mentioned could those injuries be consistent with Mr. Brown moving forward falling forward and his momentum carrying him where it would scrape his forehead against the ground as he hit the ground?

DR. : Yes.

AUSA : You started with the gunshot to the apex of the head, um although you said at that time that you were gonna go not necessarily in the shot...in the order that the shots were fired.

DR. : Right.

AUSA : Right. Um, but is it-is it your opinion that-that shot to the top of the head was likely the last shot?

DR. : I think so. Ah, with a caveat yes I as soon as he got down, lights out, he's; however, he's got that shot in the vertex, another shot here, and another shot down here...well, pretty much could've occurred from somebody firing rapidly even as he's losing consciousness and falling down.

AUSA : Uh huh. And just re...I don't mean to interrupt, but for the tape, you're referring to the shot to the top of the head?

DR. : Top of the head.

AUSA : And then you refer to the one to the forehead.

DR. : And the one...

AUSA : And the one...

DR. : ...yeah, especially 'cause the top of the head is going kind of straight down which would indicate that his head is down and the gun pointed at the head but then the a, the bullet wound of the forehead is just a couple inches away and is also going straight down and would go along with the head bent position and then where there jaw is against the clavicle kind of thing. And then there's one a few inches more down.

AUSA : Okay.

DR. : So that in the chest, so that um those three bullet wounds could have occurred very rapidly even if the one in the head caused him loss of consciousness so there's no way of telling which of those, the order of that, but with-with the one in the head certainly he would lose consciousness right away. Can't...and I would think toward the last, but I can't tell five seconds between this one and-and the one in the orbit, which wouldn't cause him to lose consciousness necessarily right away but they'd be right after each other.

AUSA : Uh huh. So they, the wound to the top of the head either was the last one or was very close in time to the last shots.

DR. : Yes.

AUSA : Okay.

DR. : Yeah.

AUSA : Alright.

DR. : We're talking about seconds. Now, I don't know either. Ya know, I have no knowledge about the, how...for how many shots were fired, how quickly they were, ya know, that can all come into evaluation then.

AUSA : Alright. And um, you said that shot to the top of the head would have been lights out basically and immediately.

DR. : And-and yes-yes.

AUSA : Okay, and by that you mean basically he would have been immobile, unconscious?

DR. : Yes. He could still have some seizures but e-essentially he's dead, um, after because it was so damaging to the brain.

AUSA : Okay. Um, the other wounds, you mentioned the-the wound um, above the right eye wouldn't necessarily have rendered him unconscious immediately.

DR. : No.

AUSA : Alright, and any of the other wounds that you think would have rendered him unconscious or immobile...

DR. : No.

AUSA : ...other than the one to the top of the head?

DR. : No.

AUSA : Okay.

DR. : They could all prove that-that these three could-could-could all be fatal but not immediately fatal and the one in the-in the lung the bottom on in fact the one that's facing the lung evening though you can lose an eye, ah, if he was brought to a hospital emergency room or something, it might be salvaged.

AUSA : Alright, but that's not the case for the shot to the top of the head.

DR. : No.

AUSA : You don't think any amount of medical attention could have saved him after that shot?

DR. : No.

AUSA : Okay. Even immediate medical attention?

DR. : No. If-if that happened in the hospital, it couldn't be saved from that.

AUSA : Okay. Alright.

DR. : There's too much damage.

AUSA : Um, and so it-it's-it's your opinion that-that shot to the top of the head he would've been immed-immediately unconscious and immobile. Although.

DR. : And, not salvageable.

AUSA : Okay, alright. It-it is it possible in you opinion that he could've continued to st-move forward or stumble forward, something like 20 or 25 feet after that shot to the top of the head?

DR. : N-no not at all.

AUSA : Alright. The um, you mentioned the graze wound to the palm of the right hand...

DR. : Yeah.

AUSA : ...um, you've had the opportunity, and again I've-I've seen some of your um, statements in the media, um, regarding that wound particularly after, immediately after the ah, St. Louis County medical examiner's report was released by the-the St. Louis Post-Dispatch and then I think it was re-reported in other places. That was, I think on October 22 you'd indicated from that you were actually, you were on the record, ah, Kimberly Guilfoyle I think was-was hosting that night on Fox News and you'd indicated that you-you'd seen that and that appears to be from the report gunshot residue in the hand that might only be-only be seen under a microscope suggesting that Mr. Brown's hand was in close proximity with the weapon at the time that that shot was fired. Um, would that be your opinion today after seeing the slide or...

DR. : Well, I saw the slides.

AUSA : Ya know...

DR. : And I think it-it what was, I didn't go into it but what was a concern for me is that when you look at gunshot residues from the discharge of a weapon, you see with a naked eye. You don't need a microscope. You see it on the-on the clothing, you see it on the-on the ah, skin. So it to

have no gunshot residues on the-on the hand which I didn't see any gunshot residues in any of the cases would mean beyond 18-24 inches. It could be 40 feet away, but or more than that. So, but I said between one and two feet away um, and I didn't see any there. Then when the report came in, it was interest-interesting to me to see that when the medical examiner had looked at the body in the fresh state, he didn't see any gunshot residues either on the hand but there is some, ah, there is some when I looked at that today.

AUSA : Uh huh.

DR. : There is definitely some gunshot residues in the, under the skin.

AUSA : Ah, that you saw in the slide today?

DR. : Yeah.

AUSA : Okay.

DR. : And I would agree. But, that's still less than a foot away.

AUSA : Okay.

DR. : But a, I can't tell how close it is because...but in looking at the photographs and-and looking at the police photographs ah, which is different than the ah, medical examiner photographs, ah, I...there is some gunshot residues at-at the top of it...

AUSA : Okay, just, you're talking about the...

DR. : ...that I can see.

AUSA : ...the photographs that were taken at-at the time of the first autopsy?

DR. : By the police.

AUSA : Uh huh.

DR. : Ah and um, which I have here but we, ah, and which-which does show I believe gunshot residues on the palm of the hand, which I did not see up until nine days later when I looked at it.

AUSA : After the body had been embalmed.

DR. : After it had been embalmed. Well, they get washed and embalmed, and (stutters) just normal-normal course.

AUSA : Well, now I...

DR. : So-so I would say that I was wrong in that.

AUSA : Okay.

DR. : Ya know, to the extent that I said, ah, it's more than a foot or two away. Ya know a foot or two could still be in the car but um, but ah, it definitely isn't so that I think that there was a gunshot wound of the palm of the hand that tore through the top of the skin and a, that makes sense being in the car if it was the only place I think that he was bleeding initially. That's when he would be bleeding initially so to the effect that I-I read in the newspaper if it's true that the FBI found blood and DNA, his DNA in the car, ah that would make sense coming out of, out of this. But, I think the examination of the car is all important to see where the bullets, how many bullets were fired, can they account for the bullets in the car, the blood in the car but that there was some kind of a discharge that struck him in the hand.

AUSA : Alright.

DR. : Now, I can't tell this again, but it was going toward-toward the officer or away from the (UI) or standing still...

AUSA : Uh huh.

DR. : ...as with the other things, that depends on other information.

AUSA : Alright. And so, is it based on seeing this slide today, and seeing the ah, gunshot residue under the skin on the slide, that's an indication to you that it would've been ah, I guess what you would characterize as a close range gunshot wound within a foot.

DR. : Yes.

AUSA : Okay. And, can you say how close within a foot?

DR. : No, because, but I it-it-it-it, no problem with it being in the car.

AUSA : Uh huh. Okay, it'd be consistent with his hand in the car near...

DR. : Yes.

AUSA : ...the officer's gun at the time.

DR. : Yeah.

AUSA : Wou-would it be consistent with ah, the officer's gun being, or the ah, the muzzle of the gun being eight inches from that wound?

DR. : Eight inches, it could be, yeah.

AUSA : Or...

DR. : It could be, it's not a contact, but it...

AUSA : Okay, so basically anywhere from a foot to not quite contact. Is that what you're saying?

DR. : Yeah.

AUSA : Okay, within a-foot but not necessarily contact.

DR. : He, that's right.

AUSA : Alright.

DR. : Not to contact.

AUSA : Okay.

DR. : It could be a few inches away.

AUSA : Alright. And a, you've mentioned obviously reading things in the paper or whatever, but, just hypothetically speaking then, that would be consistent with Mr. Brown's hand being in-inside the police officer's vehicle very close to his firearm at the time it was discharged.

DR.BRADEN: A close to, I mean within in there I mean anywhere it would I mean, in the hand in the vehicle, anywhere in the vehicle would be close enough.

AUSA : Alright.

DR. : Yeah.

AUSA : Okay. And, potentially, that-that part of Mr. Brown's hand where the ah, graze wound is, could've been just within a few inches of the muzzle of the firearm.

DR. : Could be.

AUSA : Alright. Now, you said ah, you referred, you said you were wrong about, ya know, the distance of the shots, now to be fair, at the time that you, or initially did this news conference on August 18th you indicated these were preliminary findings, is that right?

DR. : Right.

AUSA : And that there was additional information you'd like to see, correct?

DR. : Which included this today.

AUSA : The microscopic slide being one of those things.

DR. : Yes.

AUSA : Is that right?

DR. : Yes.

AUSA : Okay. Alright. You didn't have the benefit of that slide at the time that you did the news conference and you made that clear that there were other things you'd like to see.

DR. : That's right and I didn't have the benefit 'til just today.

AUSA : Right, okay. I um, there was a USA Today article on October 30th at 2014 where you'd indicated that you-you thought, ya know, it's possible, you said at least it was possible that this could be dirt on the hand but in order to dry your own conclusions you would want the GSR report, the microscopic slides and other things. Is that right?

DR. : Well, I have not seen them. Now Mr. told be about that article.

AUSA : Oh (UI).

DR. : And he promised to send it to me and then I spoke to him today and was gonna give it to you, 'cause I understand...

AUSA : Hmmm.

DR. : Ah, but I think what he say is ah, that um, I had wanted to see the microscopic slides to see because what was interesting is , the- the doctor that did the autopsy, they also didn't see any gunshot residues in the gross autopsies. And I-and I stress again that's where we usually see gunshot residues. And um, we don't rely upon microscopic's to do it but in this case it turns out that the a sections that were taken do show gunshot residues and when I looked at the the gross slides today, ya know, how the bod-the body looked before autopsy on the ah, the day after the death...

AUSA : Uh huh.

DR. : ...um, I think that I do see some a...

AUSA : Okay.

DR. : So, the-the idea that-that usually you see the gunshot residues on the skin and not just rely on microscopic slides works that the body hasn't been embalmed and washed.

AUSA : Right. So then other words, you-you've had the benefit today of seeing the photographs taken at the time of the first autopsy and the gross slides, the microscopic slides.

DR. : Before the body was washed and ah, autopsied.

AUSA : Right.

DR. : And on the gross...on the-on the gross photographs, ah, there is ah, I believe evidence of small evidence but there's evidence of a gunshot residues and I think that puts it within inches away but whether it's eight inches I...it-it-it's-it's in that ball park.

AUSA : Right. Somewhere within a foot.

DR. : It's not beyond one-it's not beyond a foot.

AUSA : Yeah, okay. And so that-that would be consistent then with some sort of struggle going on at the side of the police vehicle.

DR. : It-it will be consistent with the hand being in the car where it shouldn't have been. Now, whether I can't tell whether he stuck his hand in or whether his-his friend says it was pulled in for example. But it's, a-a I think it's evidence that there was some kind of an altercation going on...

AUSA : Alright.

DR. : ...a, at that time.

AUSA : Um, there's been, ah, did you have the ah, have you had the um, benefit of looking at the toxicology report, that St. Louis County.

DR. : Yes-yes.

AUSA : Okay, and was that at about the time that the autopsy report was-reported.

DR. : Yes-yes.

AUSA : Okay.

DR. : When this was released, well-well when the autopsy report was released by the St. Louis Post-Dispatch, ah, it wasn't until today that I got official and the-the-the what do you call...the family still hasn't gotten a copy of the autopsy...the officially gotten a copy, but I did get this...

AUSA : But, today you got the official copy of the autopsy report.

DR. : Yeah. Which has a, which pretty much about the same was Post-Dispatch had it but I hate getting leaked information only because I don't know how reliable it is. It's from that this was reliable.

AUSA : You don't have any argument here. We-we try to minimize those things.

DR. : You guys go after leaks, right?

AUSA : Well, were not gonna comment on that.

DR. : This is-this is when I used to want to go to journalism I could see how a, anyway, the world is changing.

AUSA : That's true-that's true. Interesting times we live in, right?

DR. : Oh yeah.

AUSA : Um.

DR. : And I hate to be in your shoes.

AUSA : After um...

DR. : In particular the Justice Department having to deal with everything that's coming along.

AUSA : After the a...

DR. : Gays are okay, pot is okay, but journalist aren't. Anyway, that's-that's, excuse me.

AUSA : That's fine.

DR. : I once thought of going into journalism so, I like to make myself like that.

: Okay.

AUSA : Um, the ah, after the medical examiner's report was leaked as you mentioned, um, you had appeared on a Fox News with Greta Van Susteren that was ah, um, with a, that was on um On the Record with Greta Van Susteren, you had said something about um, the marijuana, um, that if-if in fact there was marijuana in his sys...actually ya know that what I'm lookin' at here...

DR. : I do.

AUSA : ...was I think actually this is before it was leaked because this is on August 18th would've been, which would've been just the day after your autopsy but I think that there were at least some rumors at that time of marijuana in his system.

DR. : Yes, yeah.

AUSA : Ya know, there were reports that were sort of unfounded but...

DR. : Right.

AUSA : ...there were reports none the less. Now you've had the benefit of actually seeing the toxicology report.

DR. : Yes.

AUSA : But, you mentioned on August 18th I-I found this interesting, I wanted to ask you about it...that it would be important to know the levels of marijuana that were in his system that certain levels could mean that he may have been acting in a crazy way and may have done things to the police officer that normally he would not have done. That's a, does that sound like something you would have said?

DR. : I wouldn't ah, have remembered it except I got a bunch of letters about that...

AUSA : Really.

DR. : ...saying you idiot. You think that I don't know anything about marijuana, you can say that, so...

AUSA : Right, from marijuana advocates?

DR. : Yes.

AUSA : Yeah. Okay.

DR. : Some people that know more about marijuana than I do. But, ya know, I think that ah, that I think you-you...first of all, just so you know, so for

what do you call it, ah...full disclosure. The reason that most of these are-are on ah, Fox is 'cause they have a contract with Fox to discuss forensic science issues.

AUSA : You're basically a contributor for Fox News?

DR. : I'm a contributor that I get paid an annual salary for.

AUSA : Alright. I'm sure they were-they were happy to see you get involved in a case that's gotten (UI).

DR. : Yeah, but the problem is, ya know, yeah, but I-I have to be careful not to do things for Fox that are inappropriate like being on Fox Today to discuss what my Grand Jury testimony's gonna be. So...which ah-which ah, so that um, yeah. But I keep a, try to keep an arm's length distance and fortunately my wife is very good at explaining what I can do and can't do under these circumstances.

AUSA : Right. Okay.

DR. : But um, but that-that's why Fox comes up so much.

AUSA : Uh huh.

DR. : Um, yeah, what I want to see is the marijuana because there...marijuana has many different compounds and sugar compounds that cause um, ah-ah have psy-psychological effects and most that don't. And, this release that I seen now is helpful now.

AUSA : Alright. And, marijuana is that is in fact um, a ah, ha-ha-have you heard reference to marijuana having biphasic affects on people? Have you- have you heard anything about that or in your-in your experience or 50 years, have you come across that?

DR. : Well, marijuana from (UI) is that it can um, it has different affects on different people, just like alcohol kinda has different affects on different people and that um, ah, it depends how much of different compounds there are in every marijuana plant and 20 different compounds all in different lengths and it's just...one of the compounds that's present here that has the most potential for psychological affects.

AUSA : Uh huh.

DR. : We look at it, one of the things that it's not a cause of death.

: Right.

DR. : So, ya know as far as ah-ah drugs and ah, and-and um one of the things the medical examiner's get most concerned about is 'cause...can it cause people to die? I mean no. Now, the psychiatric affects are a little different but over my 50 years of experience marijuana...whatever affects it has, it usually does not cause them to do crazy things but it-it has different affects on different people and um, so that would be a-a reason to-to a look at what the toxicology is.

AUSA : Well, let me ask you that, looking at the-the toxicology report there, did the...would those levels give you some concern about whether Mr. Brown was impaired or whether there were psychological...

DR. : The one that does give me concern...

AUSA : ...affects?

DR. : ...is the Delta9thc and um the thing about it is um, it's negative in the urine but it's 12 navigrams (phonetic) in the...I don't know in the blood which certain toxicologists can give you better advice on this than me- than me but from this I say...and the-the problems of marijuana can hang around for a long time. It dissolves in fat and so that he does have a type of marijuana in the blood not in the urine that a could cause psychological affects but a whether he took it a few hours before or a day before ah can be guessed at, that's reasonable. But, it-it-it varies from person-to-person and whether or not any of Brown's actions at the time of the gar...ah, cigar incident and walking the street and wasn't anyway affected by the marijuana. Ah, and I can't say. 'Cause I say most people wouldn't get too much out of line with a-with a this type of marijuana but some might and there are better people...there are people who study this more carefully than I do.

AUSA : Alright.

DR. : So that-that could give you a better answer. But he does have...in the normal course, I-I would go and I did go but I'm not the expert...a toxicology person I think is very good at this and said he could be having-it could be having a psychological effect.

AUSA : Alright.

DR. : Ah, but...

AUSA : You-you did consult with a toxicologist about that?

DR. : Yeah, I-I called a...yeah, just to find out, but that's not to-to make an opinion on it...

AUSA : Uh huh.

DR. : ...just that-just that I was interested in seeing how this kind of level affected the...’cause the different things in the literature...some say no, some say yes. The guy I respect said there could be some.

AUSA : Alright. Some psychological affects?

DR. : Uh huh.

AUSA : Alright. Marijuana is in fact a hallucinogenic. That’s how it’s classified.

DR. : When it has, yeah, when it has an affect there. That classify it hallucinatory affects.

AUSA : Okay.

DR. : We’ll be studying it more in the days ahead. So...Police Commissioner Brown holding up, did you see the picture of holding up 30-30 grams of marijuana in a-in a plastic bag which is an ounce which now is okay in New York. It’s an awful lot to me. But-but at least it doesn’t clog...it shouldn’t clog jails. That’s what the problem has been, clogging jails up with ah, and causing harm to people. Often bright people take marijuana and get stuck with it. Be that as it may, I’m not a criminal justice major.

AUSA : Um, the ah, I wanna get back, just briefly again to the ah, August 18th news conference. You’d indicated...you were...I think you were asked and you responded whether there were any signs of struggle specific to Michael Brown’s body, ah, specific to the autopsy itself. And you’d indicated that there were no signs of struggle regarding his body um, at that time and ah, but you would need more information to side whether in fact there was a struggle and...I think we’ve, is that, do you recall that?

DR. : Yeah, I told ‘em...I-I think I was referring there is no injuries to his hands or anything that-that...

AUSA : Uh huh.

DR. : ...there was no injuries that he had struck anybody on his hands with a caveat that you can strike people and not have any injuries.

AUSA : Right.

DR. : But, the one thing we can look for is to see if there’s any a-a bruises on the-on the hands or knuckles, fingers, of somebody in a fight. He didn’t have any.

AUSA : Alright. And, along those lines regarding signs of a struggle, did you see anything I-I, no signs of a struggle on his body would that include no injuries to his neck. Did you see any injuries to the soft tissues of his neck?

DR. : I did not.

AUSA : Alright. Did you see any bruising or abrasions or hemorrhage-hemorrhaging of the soft tissues?

DR. : No.

AUSA : Alright, and were there any...

DR. : Except where the bullets went.

AUSA : Right, I'm talking about to the neck, specific to the neck?

DR. : Yeah, no.

AUSA : Right.

DR. : No.

AUSA : And ah, did you see any other injuries to Mr. Brown's neck suggesting that he was strangled or grabbed around the neck in any way?

DR. : Again, ah, no. I didn't see any. That doesn't mean he wasn't, but he-he's a big guy to get hands around the neck.

AUSA : Yeah.

DR. : And he was a big guy. But, I didn't see any injuries to the neck but if, injury, if-if there had been a struggle and something was placed around his neck needed, that needed to cause injuries, but there weren't any injuries.

AUSA : Alright.

: What's the significance to you of-of how big his neck was regarding...you said that he was difficult to wrap your hands around.

DR. : Well he...he's a big guy and ah, looked like a strong guy so it...I don't wanna be sexist, but strangulation as a mode of homicide, for example, is 90 percent female victims. It's a really a-a-a um, assault by the stronger person against the weaker person.

: Okay.

DR. : And I think that ah, that I would have been surprised if-if in a struggle somebody would try to ah, to squeeze his neck because it would be hard to do and it would make the other person very vulnerable to-to attack some things.

: Because his neck is so big? So wide?

DR. : Well, it's big and he's strong.

: Strong.

DR. : He's strong and he's big and...

AUSA : Typically in strangulation cases you see a stronger person strangling the weaker person.

DR. : That's why it's mostly stronger men and weaker women. The only time men get strangled usually is if they're drunk. Ya know, then-then-then-then they're, they can't ah...

AUSA : Defend themselves?

DR. : ...but even a-even a weak male can-can defend them self a little bit about strangulation. You can't depend very well against a gun or a knife or baseball bat.

: Hmmm.

DR. : But, strangulation, you can often even a weak person can do enough um-um protection to war-off a homicidal strangulation.

AUSA : And I-I believe you measured um Michael Brown at six foot five and 289 pounds.

DR. : About that, yeah. He looked bigger than that actually but they have a, I think they have a good scale over there at the medical examiner's office and was only what? Eighteen years old.

: Uh huh. Yes.

DR. : And he's a big 18 year old.

AUSA : But, in any event you didn't observe any ah, injuries to the neck?

DR. : Did not. I looked for it; didn't find anything.

AUSA : Alright. You did look for it?

DR. : Yes.

AUSA : Alright. Um, and as we sit here today you've already talked about having found the a, on the photographs from the autopsy as well as from the slide, your conclusion is that there was gunshot residue on that shot to the right hand. That might be evidence of a struggle over the police officer's gun in the car.

DR. : Well, it's evidence of closeness.

AUSA : Uh huh.

DR. : Um, it would be consistent with a struggle, yes.

AUSA : Yeah, right. To be consistent with that you'd have to put in the context of other evidence.

DR. : Yes.

AUSA : Alright, okay.

DR. : Yes.

AUSA : Um, you...and, we've talked-we talked about this a little bit earlier but in putting into context the other-other evidence, one thing you would...you-you said before and you said at the news conference that you would like to see is the medical records of the police officer...

DR. : Yeah.

AUSA : ...to determine not just based on the autopsy but other evidence whether there was a struggle between the police officer and Mr. Brown.

DR. : Right, and whether-whether he suffered serious injury, um...

AUSA : If um...if-if-if there was bruising or contusions to the side of the police officer's face and scratch marks on the back of his neck. Those would be obviously signs of a struggle.

DR. : Yes, and it and I wanna say is that absent of injuries to-to Michael's hands doesn't rule that out...

AUSA : Um huh.

DR. : ...so that there's nothing on him to indicate signs of a struggle of that corn, kind, but if it were injuries-significant injuries to-to the officer, um,

then that doesn't rule-rule-rule out his rule out his doing it. But, I'd like to see what the significant injuries is because from the statement of blowout injuries to the face were fractures or the orbit, say I don't believe that could happen without leaving some marks on the...

AUSA : Right.

DR. : ...on his hand.

AUSA : Okay.

DR. : Ah, ya know scratches wou-wouldn't necessarily do that but that also is to get the whole context of why it happened, just...

AUSA : Uh huh. But-but if hypothetically speaking if there was bruising or contusions to the side of the police officer's face, obviously that would be some sign of a struggle that you would be looking for in the medical records.

DR. : Yes.

AUSA : Okay. And um, as you said, ya know, if-if you had blowouts to the orbits, that kind of thing you-you might expect that such a serious blow that you might expect to see injuries to Mr. Brown's knuckles or hands.

DR. : In order to break bones in somebody yeah.

AUSA : Right. But, if-if there are no broken bones but there are bruises, if there is bruising, you may not necessarily injuries-see injuries to Mr. Brown's hands.

DR. : That's correct.

AUSA : Okay. We've talked about a little bit tonight and I know that in previous statements you've mentioned the importance of um, of forensic evidence like the autopsy in ah, determining witness credibility or the reliability of witnesses.

DR. : Yes.

AUSA : Either because they're simply wrong about having seen something or they're fabricating something, whatever the motive might be but in order to determine the reliability of witnesses, is that right?

DR. : Can be-can be used for that purposes.

AUSA : Okay. And I-and I think you've said before something to the effect of, ya know, it helps to evaluate eyewitness testimony and helps to organize which witness testimony is more reliable.

DR. : Yes. I agree with that.

AUSA : And I...I think you've said similar things to that today.

DR. : I agree with myself.

: That's good.

AUSA : Good we've established that.

DR. : No, I agree. I think he's-he said that well.

AUSA : One ah, one example you've given and I think we talked about it here tonight already was that um, after seeing the autopsy report you'd indicated, ya know, for example there were no gunshot wounds to the back but people thought that they saw that so that helps...that would help investigators or prosecutors to assess the reliability of certain witnesses. Is that...your-your experience?

DR. : Yeah, I think so but the back being, is it just the torso or is it also the arms and all see.

AUSA : Uh huh.

DR. : So, when-when a witness says from the back-from the back-the back they really been shot from behind.

AUSA : Uh huh.

DR. : And, shooting from behind he might have injuries in other parts of the body than the torso that would go along with it.

AUSA : Well let me-let me get a little more specific, just again, hypothetically speaking...if you have a witness in this particular case who says that Mr. Brown was down on the ground face down as-as he was found and ah, the police officer fired repeatedly six or eight shots into-into his back. Obviously the autopsy would indicate that-that would not be the case in this-this particular instance.

DR. : The autopsy would indicate that if they were fired they didn't hit him. You see, the-the problem there is someone can see a shooting and the, and think it hits the back but-but that-but that goes upon the degree of reliability but ah, we could say that clearly he was not ah, shot in the-in the...from behind while on the ground. I-I would say that. Whether

somebody really thought they saw it or was making it up, they could have people fire a shot...like one of the concerns I had asked for is how, which they didn't tell me, is how many shots were fired, ya know. A, the weapon and um, it's amazing nobody else got hurt out there, ya know, with all the different things. And um...

AUSA : Well, certainly, I mean, we can allow for the fact that-that obviously the police officer could have missed but the, and the...

DR. : They always miss. They-they always miss...

AUSA : Yeah.

DR. : ...ya know. And when the-when the police officer fired, the-the in fact they were shot, that he was struck, I think six or seven times, a-a they think eight times. See, when I say struck I'm talking about all the bullets that-that bullets that struck him. Ah, not necessarily how much damage they did. Um, is-is sign of pretty good shooting at a police officer if he fired 10 or 15 bullets that hit him as many times as better than usual I think.

AUSA : Uh huh. Better than...

DR. : And to miss other people is even better.

AUSA : Alright. Okay. But, it...all I'm getting at is that ah, in situations like this again, the autopsy's a good tool a-among other forensic evidence to be able to determine the reliability of witnesses.

DR. : Yes.

AUSA : Okay.

DR. : Yes. I mean...

AUSA : And, that's been your experience over 50 years?

DR. : Yes.

AUSA : Alright. Along those lines, ah, and again this may not be specifically ah, regarding the-the autopsy in this case, but you've-you made comments about how it's not uncommon for prosecutors to not want autopsy results released immediately. That a...in-in your experience...

DR. : Yes.

AUSA : ...prosecutors may not want the medical examiner to release the results immediately?

DR. : Yes. I think that's a bad idea, but I, that I, that I've seen that happen before.

AUSA : Alright. And, but you've expressed also and I understand that-that, ya know, I think you've expressed that it can cause concerns in the community and-and issues with transparency and that kind of thing. But, you've also indicated in the past that um, and-and as you've indicated here tonight that it can be a tool to assess the reliability of witnesses, right? The autopsy?

DR. : Yeah. That-that one has to balance it. But, in my experience we had a number of police in (UI) when I was the chief medical examiner-medical examiner in New York City, um, there were a number of incidents...Harlem and ya know Bareo (phonetic) and other places of-of police encounters and the issues whether the sniper shot the-the-the a neighbor or a police officer shot the neighbor, ya know. And, I gonna say I found that over the course of the years if-if the community is told whatever happened right away, it calms them down because in my experience that...and I think that pertinent here is parents always and neighbors always think that the police are wrong and when the medical examiner comes along and doesn't say anything, they think they are just covering up for the police so, it-it-it tends to help create a um, ah-ah hostile environment and that's why in New York by and large ah, and in even this new one ah, this other, this other the (UI) Staton Island who was choke hold in Staton Island, I was glad the medical examiner came right out and said choke hold...not saying let's wait for the toxicology because I'm sure you appreciate what I put in terms...when we do an autopsy in these things, 95 percent of everything is there...is-is finished on day one. We know an awful lot. We're waiting for toxicology, from microscopics which may or may not be too relevant and that can drag on got up until ah, up until now when the family still hasn't gotten this autopsy report, theoretically. I mean...

AUSA : Uh huh.

DR. : ...I give a copy to the, and I was okay to give it to the ah-ah attorney, ya know. But he, the only copy he had had was from um-from um the St. Louis Post-Dispatch and the-the longer the um...a there-there-there's a...and-and the reason I got called in, 'cause it was nine days later is because ah, the family was concerned nine days of that time. They didn't know why-why their son died except for-for a-a-a-a um, the news, the rumors in the news and secondly um when I came to see them and before doing the autopsy I spoke to them first. The first question they have and the families always have and even in-in regular cases, did my loved one die a suffer? They want to know did he suffer and ah, ya know, by telling him that they had the bullet wound in the head that caused him to lose consciousness immediately a um in this

crazy world gave him some-some ah-ah consolation 'cause they didn't want their...they rather him die immediately rather than...now when the-when the-when the civil action comes along it may be different. But, that's another story and not here but just general. And one of the thing's medical examiners are good at is when families come in and identify loved ones we try to be as generous as possible that the person didn't suffer and that consoles them. But, and I think it's a mistake to not release the information that can be released right away or else...and now it's even more important because as you see here in the-in the Ferguson with social media and all, it-it's a, ya know, the crowds gather right away and they feed on each other. When you got (UI). In most cities in New York for example, if somebody dies in the street whether it's a shooting or an auto accident, they don't lead, in a public place, rules are you remove the body as quickly as possible. You-you can keep the crime scene and-and-and do things but the body should be otherwise even 50 years ago, you're asking for trouble because people start...the community starts a coming around and in those days, the community was just a few blocks around where it happened and now it's the whole country...

AUSA : Uh huh.

DR. : ...with-with the cell phones and all that.

AUSA : Well, and I-and I do want to get to that but basically...

DR. : So I...I'm making this commercial because I think maybe you guys can suggest some proper procedures whenever a police...whenever there is an encounter between ah, family...I-I go through this all the time in correction. I-I sit on a board in the New York State Corrections, um, we had the big Attica rioting because prisoners were said there were cover-ups in all the ah, when prisoners died and ah, we find that the quicker we can tell the families why-why somethin' happened. If the guards did somethin' ver-wrong, we'll say right away. If they didn't we'll say right away and over the years the-the population and the lawyers there all have begun to trust us and there's been no riots in the New York, in New York State since this commission was set up 40 years ago.

AUSA : You have acknowledged and-and I understand all that but you have acknowledged in the past that-that a prosecutor or the authorities may want the medical examiner to hold the report...

DR. : Yep.

AUSA : ...because it could-it could hinder investigation.

DR. : Yep.

AUSA : I mean, that's-that's another-that's another consideration.

DR. : Yep.

AUSA : It sounds like what you're saying tonight, in your opinion it's more important to get it out there.

DR. : Depends on the situation. Here, I think letting the body stay for four hours in the street...

AUSA : Well, we'll...and we'll get to that.

DR. : ...ya know that kind of thing a you can see it building up and the quicker...because even if without either you say yeah, they-they, he was killed by six bullets, that...I know, when we say yeah, it's the police bullet killed the neighbor, ah, it calmed down. There was still concern but the-the potential for rioting immediately went away.

AUSA : Uh huh. That's it. Alright. But-but certainly you-you would acknowledge that releasing something like the forensic evidence including the autopsy report immediately would make it less of a reliable tool...less of a valuable tool to test reliability.

DR. : Depending on the event a-a...yeah. That-that's true. Yes.

AUSA : Okay.

DR. : And each case has to be judged on its own though. I mean I wouldn't, 'cause you gotta weigh both things.

AUSA : Certainly. Okay. And I wanna get to your point about the-the body being ah, I know you've commented before about um-um, the ah, about the body being um, sort of disrespected...

DR. : Well.

AUSA : ...because it was on the ground for hours in full view.

DR. : It-it's viewed by the community as disrespect. I'm not saying it was disrespect. But, it was viewed by the community, right, as disrespect and-and I think um, ya know, in this particular case ah, led to ah, more and more people assembling and more and more of the rioting.

AUSA : Okay.

DR. : Now, in rioting, some bad-some bad rioting people has taken advantage of it, ya know and you can't control a riot no matter how-how civilized the leaders wish it to be.

AUSA : Alright. Um, as-as far as a...I wanted to ask you about that though...about the community being, feeling like it was disrespected because it was out in the open for four hours and did you know where-where-where do you know where you got that information, who would have told you that about how long the body was out there or whether it was in full view at the time?

DR. : I have a better view now that I got this...um, from the newspapers I think.

AUSA : Okay, alright. That's, and that's what I wanted to know is if there was, ya know, any specific information from the investigation.

DR. : No, but now I have some specific information. Ah, but even so it-it happened around ah, 12:30, a little after 12:00 and um-and um, the medical examiner's not called for about two hours and then I can't-I'm not sure til the body was picked up.

AUSA : Alright.

DR. : But it took three hours or more, maybe four.

AUSA : Basically...

DR. : But I heard four hours, but I'm not sure about that, 'cause I don't have the time the medical examiner picked up the body.

AUSA : Alright. Basically, what was reported though is that he was on the ground out there for around four hours in full view of-of...

DR. : I-I've seen that yeah.

AUSA : Okay. And, that was what drove your concern about the, ya know the disrespect of the body or-or the community's concern about the disrespect of the body.

DR. : Yes.

AUSA : Okay. And-and would it affect your opinion regarding that at all if the body was in fact covered within minutes after EMS arrived there.

DR. : Well, yeah, that would be better, at least it was covered; however, the- the photographs (stutters), the photographs and the video tapes showed I think it was Officer Wilson near the body and the body with blood coming out of the head and the crowd already gathering.

AUSA : Uh huh.

DR. : So, ah, I think ah, covering the body ah-ah is-is better than not covering it. But, removing the body, is-and you don't leave the body there for a full police examination is even better because it creates a, a mob psychology. People start gathering and the sooner the body is-is taken away like in a shooting or something in the streets of New York, if you left anybody out there ya know, the crowd would gather.

AUSA : Uh huh.

DR. : Nobody knows who the person is.

AUSA : The best thing to do then is to do your investigation and-and get the body out of that area. In your-your experience.

DR. : And keep the-and keep the (UI) 'cause there-there may be a lot of evidence. The body's one piece of the evidence and they can get in the way and then you have to weigh, like I said, the value for the investigation versus the-the-the ah, problems with a the community.

AUSA : Right. And-and as far as the disrespect of the body also, would it affect your opinion regarding that if the forensic investigation that was going on there was interrupted by gunshot, gunshots in the immediate area, a-a hostile crowd, people chanting "kill the police" that kind of thing as the-as the police officers who were there trying to um, process the scene.

DR. : Well, it's the only more reason they should have removed the body, ya know. I mean, (stutters)...

AUSA : What I'm asking though is, if-if the if that, if the forensic investigation was interrupted by those things causing them not to be able to complete the investigation and remove the body...

DR. : I don't understand. What-what's there investigation that has to be done? Ya know, they have a body there. You just look at it. The time of death isn't the factor, rigormortis, levity, temperature. You know the type of death. You know the shooting. Um, what part of the investigation...what investigation did they do at the scene? Ah, by leaving it...

AUSA : Well, you've talked about taking notes, taking photographs those kinds of things. If those things-if those things were interrupted by gunshots in the immediate area and a hostile crowd, obviously that would, that would be some explanation of why this took as long as it did.

DR. : I think it's a poor explanation. I think it's a poor...if there are gunshots or whatever is going on, get the body out. They don't gain anything by leaving the body there.

AUSA : But, certainly you'd have to agree, you'd have to document the-the location of the body, the position...

DR. : Take a photograph.

AUSA : ...the position of the body.

DR. : Take photographs.

AUSA : Right.

DR. : The best things is-is photographs. You're gonna do anyway. The- the that the body is documented by-by images.

AUSA : Right. Measurements, right. You have to take measurements.

DR. : Yeah, but you can do that once the body is-is out.

AUSA : Huh uh.

DR. : If you have an outline, ya know, where the body is. You can take your measurements ah, at that time. And by leaving it out, you are also a-a beginning to lose some of the toxicology (stutters), more and more metabolism going on and break down of whatever drugs are there. Ah, especially in the hot weather that (UI) so there-there is a-a some damage that can be caused by leaving out. But, I think that leaving a body at a scene, an open scene...

AUSA : Uh huh.

DR. : ...without looking for blood on walls and the ceilings and even that kind of thing can be done-can be done um, after the body's gone.

AUSA : Wha-wha-What if in addition to the body being covered that there were sort of medical curtains put up around there for privacy while-while the body was there and they were attempting to process the scene?

DR. : I don't think that helps much 'cause the people know there's a body there.

AUSA : Uh huh.

DR. : And that, my...

AUSA : But, it's not, it's certainly not out in full view. Is that right?

DR. : If they cover it up, it's not in full view, it's a little better, but it's, what I'm sayin' to you...there's very little to be gained once you take a few pictures and you-you get a perimeter around there where to-to look for shoe prints or whatever and ...

AUSA : Well, certainly you'd acknowledge though that if there are things like a hostile crowd there and actual gunshots going on that-that can slow however short the process...

DR. : It shouldn't that-that.

AUSA : ...however short the process you think it should be, it would certainly slow that process if they have to stop doing those things because of those kinds of interruptions.

DR. : I think doing those things is less important than getting the body out of there and getting more interruptions. I mean the-the if you already have a hostile...there's very little in my experience and I've gone to thousands of-of-of scenes of death...

AUSA : Uh huh.

DR. : ...in a that in a public place that's gonna be gained by keeping the body there that can't be done by um, ah, roping the area off and just looking at everything after the body's gone. I think putting it...

AUSA : But, cer-certainly in any case you would want a thorough investigation of the crime scene including the body.

DR. : I wouldn't want...I wouldn't want a thorough investigation...and the body itself can be more thor-more analysis, more investigation as the body's done more when you have good lighting conditions and all and the-the clothing and the skin and the external forensic evidence is-is better looked at when the body gets to the scene, If it gets to the morgue where they have better lighting and less problems from any viewers, onlookers. But I just think that there-there's...in everything you do you have to have a balance of-of...if people are-already starting to shoo-shoot guns or ah, it-it-it indicates that something's being done wrong to me.

AUSA : Alright. The-the people in the-in the crowd around there shooting guns that would indicate that-that-that there's something being done-done wrong with the investigation?

DR. : Yeah. To-to-to-to allow that to devel-to have that develop while the body's at the scene which feeds into it, ya see. You're getting good

people who are coming to see what's going on and bad people are gonna take advantage of it. Ah, I'm not a con-ah-ah-ah a ah, control ah, ya know expert.

AUSA : Right.

DR. : But, however...

AUSA : No, and I-and I understand that.

DR. : ...what I'm saying is...

AUSA : The only reason I ask is not because you're an expert on that but just because you opined about it before.

DR. : Yeah. And then what I'm saying is, that there's very little to be learned after five or ten minutes of looking at a dead body at a scene. Five or ten minutes, you take photographs, you just said that you set up the per...your perimeter, ah, and you get the body out. Remember the body decomposes in hot weather so that-that's an issue too. And um, while he's on the ground, the longer he's on the ground there's more blood flowing out of these a, the blood is building up and-and flowing out. It, things are happening to the body after death that can be counterproductive too. So, I just think that um, that there isn't as much to be learned from the dead body in a public spla-pac-place, because of all the other crap, ah, that um, couldn't be found when the body's moved in and you-you the a, the night is assumed that community upset is taken away.

AUSA : Um, you-you mentioned before that even if that shot to the top of Michael Brown's head had occurred in a hospital and he was-and he was given immediate attention, he wouldn't have survived.

DR. : That's my opinion, yes.

AUSA : And, certainly CPR at the scene or anything like that wouldn't have-wouldn't have made any difference as far as whether he lived or died. Is that fair?

DR. : Yeah, well, as it turned out, now I don't know what was done at the scene whether-whether the EMS came 'cause I don't have the EMS report...whether they took his pulse, whether they ah, whe-whether they checked him out to see if he had um-um, ah what ya call, if he should be immediately brought to the hospital. One of the things that happens, say in my experience, is a situation like this...the most important thing of course is ah, the life of the decedent. And, if you come to a place and he somebody even looks dead, you still don't know whether this five or ten minutes ah-ah, whether his heart has only

stopped for five minutes or so and that CPR might work to-to bring him into the EMS ambulance, bring him down to the hospital, let him work over there and a-a-a and um that's more important forensic evidence to begin with. Any signs of-of life and it also takes away the, as I see the problem the dead body in front of a hostile community.

AUSA : Uh huh. Alright. But, so, what, but my understanding is that your opinion would be that the shot to the top of the head was fatal and there was nothing anybody could do about it.

DR. : Yes. As is sh-as it-as it turned out, yes.

AUSA : Okay. Alright. As you sit here today, can you opine based on the autopsy and the other things you've seen whether there was excessive force used in this-in this shooting, whether it was excessive shooting or force.

DR. : As-as, to give my background, 25 years I worked in the medical examiner's office in New York City with the New York City Police. Every case I went to, the New York City Police was involved. Every case I testified was in New York. The 5 of the 25 years I-I spent with the New York State Police, same thing. I spent all my life working with police. In this instance, I think absolutely there was an excessive use of force. There's no reason and, this is what I've learned, I don't shoot guns, to-to a kill somebody. I mean, when you shoot...it's more complicated in the choke hold things because in the choke hold things, ah, when it encounters there isn't an intent to kill the person. The person gets killed because of carelessness other things. When you shoot at something, you're intending to kill 'em. So um the-the-the way I was trained, and so is the training of the New York States Police in particular (UI) are trained not to shoot at somebody unless you see a dangerous weapon in his hands. If you can't see his hands, you don't shoot because you can't see his hands. And, I think that's worked pretty well. A lot of potential um a, killings, ah, were voided because ah, police initially thought there might be a danger but when the hands came up, (UI) else, as long as you don't see it. I think here, in general, I don't think that he was enough of a threat to kill him. If I-if I killed every person who punched me in the face...

AUSA : Uh huh.

DR. : There'd be a lot of dead people.

AUSA : But, you've, I mean, as we've sat here tonight, you've talked about a lot of things that you have been privy to like witness statements for example, right?

DR. : That's right.

AUSA : And, you have to put the autopsy and other forensic evidence in context by those witness statements. Is that right?

DR. : Yes.

AUSA : And, I, you don't have access to a lot of those things, correct?

DR. : Yeah, I-I'm saying I can give you my opinion to reasonably medical certainty on the autopsy findings. Interpretations ah...

AUSA : From...you're-you're telling me as we sit here tonight that from your autopsy, you're able to determine that there was excessive force used against Michael Brown in this case?

DR. : No-no. I'm saying that from my autopsy findings I can tell you my opinions clearly. As for as question about excessive force, it's my feeling over the years that ah, there was excessive force not-not in the car necessarily, but in the shooting and the death, ya know when he was a distance away from the officer.

AUSA : Alright, so you're basing that not on the, your autopsy findings but based on your experience of situations in the past?

DR. : Yeah, that, which I'm not an expert on.

AUSA : With, and with the understanding obviously that you don't have all the facts in this case including witness statements, which would give context to your autopsy.

DR. : Ah, that-that's true but-but what I'm saying is yeah. What, I'm not giving you, my opinion, is my opinion. It isn't my expertise.

AUSA : Oh I see.

DR. : My expertise is the autopsy findings.

AUSA : Right. Okay.

DR. : But, the ah-the ah, the opinion is just as you asked me in my context over the um, the years, um, whooo, if this case is considered non-non a excessive use of force, then we get into a situation where I find myself in court where-where ah-ah a I'll say that ah, ya know that a I had to go to trial years ago where I testified that ah, this a, this fellow was shot in the back and ah, but he said he was shot in the front, and I actually look (stutters) shot in the back and as he was giving up, some-some case like this and um, the issue was ah, the judge put it very simple. He says look it doesn't matter if the um, the police officer felt he was in danger and

there was no reason to be in danger as long as he felt it was ah-ah that he was in danger, that's sufficient. And the (UI) even though this was the killing in front of a lot of people in New Jersey was it um and shot in the back, hands up, um, in an argument. Ah, the judge, judge trial-they allowed a judge trial, said um, ah, no, not guilty because he-he state, testified that he felt he was in danger even though you might say he's ah-ah he's not in danger. A fact, actually he's not in danger, but as long as he feels it...I think an awful lot of judges um, ah, feel that way-feel that way in my experience that as long as the police officer hears the magic words "I felt that I was in danger" that's enough to avoid criminal charges. Now, in civil cases that may be, there-there may be a different outcome depending on the jury. But ah, but I think that ah, and I do this 'cause I'm involved and I do have an expertise in correction, in-in jail deaths where a-a the Attica uprising in part because 43 people died because the claim was by the ah, writers that um, guards were killing people, ya know, by what, whatever means and ah, everyone was called ah-ah heart attack then the body would be sent out to local then and say heart attack 'cause the heart stopped. And they had to write on it. They established our board for that reason, to look into things and um, as soon, as long as it's an oversight, they stopped making that kind of diagnosis, ya know what I mean?

- AUSA : Now, well let, but let me, that's fine, let me, yeah...
- : Let me...I was just gonna ask you, you said um, that in your opinion, a police officer shouldn't shoot-shoot at someone unless they see a weapon. Is that what you said earlier?
- DR. : Yeah, that's the general, that was the general teaching in a in um, in the New York State Police 'cause I attended some of those academies.
- : And, okay, you know that the law doesn't prohibit a police officer from shooting an unarmed person though?
- DR. : Woo a ah, that's right.
- : Yeah.
- DR. : And-and normally there and Internal Affairs always says it's okay.
- : Well, I'm just, I'm just saying as a matter of law though.
- DR. : Right, yeah. But, I'm just saying that if I think as a person that-that ah, um, that um, ah, the shooting could've been avoided, ya know, like it may be legally to do what he did. But, I'll-I'll say that I've been to other countries and an examination of other countries for governments and for human rights agents and things. A, this is a problem worldwide and that's why it was interesting to see. I knew nothing about it. The ah

Geneva stuff coming out of the parents of a-of a of um, a-a-a Michael Brown, ya know. This is-is a worldwide...I was, I mean last week in Jamaica to a, ya know, a death and a confrontation. A, but it's-it's a problem...it's a great problem and I think it's become even greater because of ah, of the internet. Because people don't talk to each other. They thought they were all alone when these things happened.

: I just want to ask you, when you mentioned the New York State Police that you-that you learned from them that they're taught...

DR. : Yeah.

: ...that they can only shoot when they see a weapon.

DR. : That they shouldn't. Well, they could, whatever, but yeah, that-that they shouldn't shoot unless they see a weapon.

: Did you...when was...when did you learn about this? Like, how many years ago?

DR. : Past, I retired a, three years ago. Until three years ago, that was the teaching there.

: Did you actually-did you actually read that policy that they-they should only shoot when they see a weapon?

DR. : Ah, no this is, this is talking to the police.

: Just-just-just word of mouth.

DR. : Just the police. Yeah, I'm-I'm sure it's a...

: Okay. So, you didn't actually attend their trainings and learn that this is what the police officers were taught?

DR. : I didn't see the-the-the-the a writing a, ya know, any kind of a, writings, but that was the general feeling that I had from the police officers.

: Okay.

DR. : That-that's what they're trying to do. I can suggest some people that you can talk to, but I don't know if you wanted to.

AUSA : So certainly you would acknowledge though that there are times where a police officer may be in serious danger even from someone who's not carrying a weapon.

DR. : Oh yeah. They-they-they're taught not to, yeah, th-that is you're not suppose to shoot anybody with-with a weapon. What if somebody's coming at you with a broken glass bottle. Now, it isn't in the rules about glass but ah, it's reasonable to shoot the guy if he has some kind of weapon in his hand that they don't teach you about but one of the things they did teach you about that after I got there was choke holds should not be done 'cause that caused a lot of deaths unintentionally.

AUSA : Right. I think we're getting a little far off field but I wanna bring you back to...so basically, you based on your autopsy and your um, ah, expertise as a forensic pathologist, you...from-from those things you can't come to a conclusion about whether there was excessive force here or not based on your autopsy and your expertise as a doctor.

DR. : Not on the autopsy alone but on the autopsy and surrounding information I can have an opinion.

AUSA : And your...

DR. : But that opinion isn't as...

AUSA : That's not based on your expertise as a-as a forensic pathologist.

DR. : Well, it-it is because interacting with police...

AUSA : Uh huh.

DR. : ...and testifying in courts it involves things more than, but what I'm saying, I can rely...there's the same thing that comes up. In all, every death certificate we issue. Cause of death shooting, stabbing, heart attack 100 percent nin-100 percent solid on the was the death, no 99 percent. Manner of death accident, suicide, homicide ah, is-is squ-squishier because we're relying on what other people say.

AUSA : Uh huh. On-on other evidence.

DR. : So, even though that's our, it's our responsibility. Coroner's and medical examiners across the country we issue a death certificate. The three most important things...we gotta identify the person properly, give a cause of death, and give a manner of death. And the manner of death can sometimes ah-ah, it's most often, much more often wrong than cause of death as witness people getting out of jail who are convicted when it wasn't really a homicide.

AUSA : Well, let me-let me just ask you the same thing. You've acknowledged obviously in this case and let's-let's just kind of let's try to stay on point here and we'll-we'll finish up but um, in-in this case you've acknowledged that you obviously don't, there's a lot of information you

don't have including witness statements and other things to put your autopsy in context, is that right?

DR. : That-that's correct.

AUSA : Okay. And so, those things witness statements other evidence might affect your opinion of whether there were to be excessive force in this case, is that right?

DR. : Yeah, in this case we'll call it a homicide, no matter what. And, they called it a homicide. Right, yeah, okay.

AUSA : Right. And I'm not-I'm not concerned about what you're gonna put on a death certificate. What I'm-What I'm asking you is those things obviously would affect whether there was excessive force in this case. Is that right?

DR. : Yes.

AUSA : And-and typically as a forensic pathologist in-in the course of doing the autopsy you wouldn't render opinion-an opinion based on the autopsy about excessive force or not, is that correct?

DR. : It actually would take homicide or not but not necessarily excessive force.

AUSA : Excessive force, okay. That-that's something I know you've opined on that and that-that's again, this isn't based necessarily on your autopsy but I know you've opined on that in the media and that's why I wanted to ask you about that. Even though that's not necessarily a finding specific to your autopsy, is that fair?

DR. : Yes.

AUSA : Okay. Thank you. Um, you've already talked about the wound at the top of the head would've been basically lights out. He would have been immobilized and unconscious immediately, is that right?

DR. : Yes.

AUSA : The other wounds not necessarily the case, correct.

DR. : Yes.

AUSA : Alright. And so if in fact you were correct that-that wound to the top of the head was the last shot fired. The previous wounds um, may very well not have stopped, ah, Michael Brown from doing whatever he was doing at the time, is that fair?

DR. : In my experience, when a person is shot two, three, four times in the arms, they stop.

AUSA : Uh huh.

DR. : They don't keep going.

AUSA : But those wounds, those wounds would not have necessarily imm...

DR. : Not necessarily the cause of death. No.

AUSA : ...immobilized him? They-they wouldn't necessarily have immobilized him?

DR. : That's true.

AUSA : Is that fair? Okay.

DR. : That's true.

AUSA : And that-that's what I'm asking. Not necessarily...

DR. : It wouldn't have immobilized him but that...

AUSA : I-I'm asking about your-your medical opinion about the affect of those wounds on Michael Brown not what your past experience...

DR. : It would not necessarily...

AUSA : ...would be with how people act.

DR. : No, they, it would not necessarily would have immobilized him, um, true.

AUSA : In other words he would still be capable of moving. He may had decided not to continue moving. But, those wounds would not have caused him to be immobile.

DR. : That's correct.

AUSA : Alright, except for the wound at the top of the head. That would have rendered him immobile immediately.

DR. : That's right.

AUSA : Alright. And, so if that was the last wound to Michael Brown then that one may have been necessary to stop him and immobilize him if the other ones had not, is that right?

DR. : No, I don't believe that. I don't believe that. Even if the sh-ah, getting a bullet wound to the hand and bleeding from the hand, that he was in a condition to stop fighting with somebody necessarily from a distance coming back to fight somebody. So, I think that um, what he's saying is it theoretic possible. Theoretically he's shot in the hand, he goes away, and then he comes back and starts running at him while being shot at, ah, it's possible but I think very unlikely.

AUSA : And, what do you base that on?

DR. : Based on the way people react. When people get shot at, they usually run away from it. Not run toward it.

AUSA : Alright.

DR. : In civilian lives.

AUSA : Is that a-is that an opinion you can draw from your autopsy?

DR. : It's opinion I draw from the circumstances around the cases that I've investigated of years.

AUSA : Okay, well and let me-let me ask you that. If you've thrown out that scenario that-that ah, that there's a-a astruggle at the side of the car um, hypothetically if Michael Brown attacked the police officer in his car, he shot in the hand...a the thumb, he runs away from the car, the police officer gets out of the car, Michael Brown comes running back at him. I understand you're saying that based on your experience of how people act that-that you think that's unlikely. But, if that was in fact the case, would that affect your opinion about whether there was excessive force here?

DR. : It could. But, one thing I would...se the problem is that we, as medical examiners like our a who-who work with police and who are friends with police and go duck hunting with police, we create things like ah, excited delirium a, to excuse police, ya know, and somebody dies during a-a tussle, um, ah, we call it excited delirium even though we think...even though there's evidence of neck compression and something and then I try to look at the case. Suppose it's not a police officer. Suppose it's an ordinary citizen in a fight. Ah, we can charge that guy with murder right away if somebody dies during an argument and ah, there's a neck and injuries to something. If this were a non-police officer situation, the person involved was not a police officer,

nobody would dispute that this is an out-an-out ah-ah-ah over-over excessive use of force.

AUSA : Well doctor, I mean you-you've we've gone- we've gone over this a few times and now I'll move on here in a minute...

DR. : Okay.

AUSA : ... but you've admitted that don't know what the witness statements are in this case, is that right?

DR. : I said that some of them I know.

AUSA : Where do you know those from?

DR. : From Mr. and from what the newspapers said.

AUSA : Alright, from the media account.

DR. : Yeah, no-no and ya know that, there was some guys that...construction workers who said they saw him with the hands up.

AUSA : Uh huh.

DR. : Ah, from the media counsel. But I don't.

AUSA : Yeah, alright. But you don't know...you don't know the actual statements that have been given.

DR. : I don't know the whole thing.

AUSA : And you don't know...

DR. : But I never-I never know.

AUSA : ...just hold on. Your right. And, well that's the thing. But, you've acknowledged in this case that you don't know what the-what the witness statements are and that those statements are very important to put the autopsy in context, right? I mean we've-we've talked about that.

DR. : Yes and no. No-no. Other information is-is-is necessary like the toxicology could be helpful.

AUSA : Uh huh.

DR. : Like ah-ah-ah other things. Witness statements have to all be evaluated. That's the problem with the witness statements. Some are reliable some aren't reliable.

AUSA : And the-and the autopsies that...I don't mean to talk over you...but I'm just tryin' to move on here.

DR. : Yeah-yeah.

AUSA : The-the autopsy helps us to inform, helps inform us...

DR. : Can help and in-and in, in some way.

AUSA : ...who-who's reliable and who's not, right?

DR. : Yeah, that's a help. It isn't a-it isn't a absolute test.

AUSA : It's just-it's just one part of the puzzle, right?

DR. : Yeah.

AUSA : That your autopsy is one part of the puzzle.

DR. : Yeah.

AUSA : And, there's a whole lot of the rest of the puzzle that you simply don't have as you sit here. Is that right?

DR. : That's right.

AUSA : Okay, and um, on-on October 22nd you were a again and it was On the Record on Fox News with Kimberly Guilfoyle and um, there had been some information about the ah, gunshot residue on the hand and some other things and Ms. Guilfoyle asked you based on what we know, with the GSR on the hand, excuse me just a minute.

(Talking in background)

UM: There's an Ipad out here for Dr. .

SA : For Dr. ? Okay.

UM: You want me to bring it in?

SA : No

UM: Okay.

AUSA : You were asked based on what we know with the GSR on the hand, blood in the police car, the close range, would you be surprised if the Grand Jury declined to return an indictment against the officer in this case? And your response was, "No, I would not be surprised."

DR. : Say that again please, I'm sorry.

AUSA : You were asked based on what we know with the GSR on the hand, which you've confirmed tonight that that's your opinion...

DR. : Yes.

AUSA : ...that there's gunshot residue on the hand, blood in the police car, ah, the close range, would you be surprised if the Grand Jury declined to return and indictment against the officer and your response was, "No, I would not be surprised."

DR. : Yeah, I wouldn't be surprised but, however, even without that I wouldn't be surprised. Rarely does a Grand Jury ever indict a police officer. Rarely does Internal Affairs...

AUSA / : Uh huh.

DR. : ...ever say the guy ah, that the person acted improperly.

AUSA : But see...

DR. : Those are rare things.

AUSA : ...right.

DR. : The only time they...

AUSA : And...

DR. : ...the jury sometimes do-do otherwise is in civil cases but it, but-but that's-that's part of the problem I see. Ya know, I'm getting to the age where...

AUSA : Well, but the-the evidence in each individual case matters, correct?

DR. : Yes.

AUSA : And you-you deal in evidence. I mean...

DR. : Yeah.

AUSA : ...you deal

DR. : Yes.

AUSA : ...with forensic evidence, correct?

DR. : Yes-yes.

AUSA : And every case is different.

DR. : Yes.

AUSA : Is that right?

DR. : Yes.

AUSA : And the evidence in every case is different, correct?

DR. : Yes.

AUSA : And you, you said here, simply don't have a lot of the evidence.

DR. : Yeah, but, just, we never have all the evidence.

AUSA : Sure, certainly.

DR. : There's enough evidence. It depends if there's enough evidence, there's enough evidence I think for to call it a homicide.

AUSA : Uh huh.

DR. : Say, ah, this isn't self de...

AUSA : And by a-by a-by a homicide you're talking about not suicide, not an accident, is that correct?

: Right.

DR. : No, death at the hands of another.

: Right.

AUSA : Not-not necessarily, I mean a lot of times people think of a homicide as a wrongful, a wrongful death, right?

DR. : Right.

: Right.

AUSA : A, murder or a manslaughter. Right. But a homicide's just...

DR. : Yeah, well sometimes it's ruled accidents by medical examiners but that-that...

AUSA : ...right.

DR. : ...leads to I think to homicide and then what's criminal or not is your job.

AUSA : Right. We all, I mean basically we would all agree obviously that it was a police officer who killed Michael Brown, correct?

DR. : Yeah.

AUSA : The big question here is ah, the circumstances surrounding it. A large part of that which would be the witness statements.

DR. : That's part of it, yeah.

AUSA : Alright, okay. Alright, let me move on. Um, my understanding is from having talked to you earlier tonight and from previous statements you've made that you-you have not yet produced a report, correct?

DR. : That's correct.

AUSA : Alright. And a, but you do expect to do so.

DR. : Eventually, yeah...I-I didn't using some of the information I got today.

AUSA : Do you know about when we could expect that?

DR. : I don't know. I guess within a few-a few weeks maybe depending...

AUSA : Alright, When you do produce that...

DR. : ...I'm not real sure.

AUSA : ...report, can we get a copy of that, or ah?

DR. : Sure.

AUSA : Okay. You'll send it to us?

DR. : Sure, and I'm sure I would it through the lawyer's family.

AUSA : The lawyers.

DR. : But, ah I've-I've already spoken to them about it and they-they feel that ah...

AUSA : Okay.

DR. : ...that they want to be as cooperative as they can.

AUSA : And, obviously we've talked somewhat here at the end about your-your opinions about whether or not there was excessive force and we've talked about whether or not the body was disrespected. Those are not things necessarily that you would put in an autopsy report, correct?

DR. : That-that's correct.

AUSA : Alright.

DR. : But, what I'm trying to say here is you are in a very important position to look into these things and that each case by itself can have equivocations but taken together what I found in my 50 years of doing this with police and for police is that there's too much of um, ah, civilians who get killed by police or correction officers that are ah, that are permitted and that one of the reasons I think that this...I was surprised at the outcry in Ferguson but one of the reasons is I think that ah, people are connecting in these things. They realize that my-my-son getting killed wasn't the only one that there were others around and I think that-that there's an excuse for everything here and I-I'm on the side of the police but I think police are gonna get in trouble too because they're when they get, when they-when they do too many things that cause death for even this thing, not that I've just saying I'm just throwin' out. There are other supposedly they're spending hundreds of millions of dollars on tasers in order to avoid this. Couldn't just a taser have been used to-to con...ah, I mean, how-how frightened does a police officer have to be but then event.

AUSA : Uh huh.

DR. : But that, and I'm just saying...

AUSA : And-and again-and again you're talking about your experience with cases, is that right?

DR. : Yep-yep.

AUSA : And-and you don't know the facts of this case as far as...

DR. : That's right.

AUSA : ...beyond your autopsy.

DR. : Yeah.

: And-and let me just clarify, ya know as prosecutors and investigators it's our job to figure out what happened. So, I know you mentioned on the side of the police usually and I know this, um, now you're-you're-you are a, you were hired by the Brown family. We don't, we legitimately don't have a side that now is prosecutor for.

DR. : But, I'm retired. Just-just you understand. I'm doing this pro bono.

: Okay.

DR. : I'm...I was asked by ah, by the NAACP and a-a actually by who had originally came to me with different case from the NAACP to do this.

: Okay.

AUSA : And you-you waive your fee?

DR. : That-that's right because I think the issue here is...well first off, the family can't afford it. But, that the issue here is an important issue and that if you do it one case at a time, um, you can miss the forest for the trees.

: Well, I just wanna make clear to you because you made a-you made a comment about, ya know how we have an important job. I just want you to understand and-and I'm sure you do, but every case is different and so we do have to evaluate the evidence in every single case and make that decision.

DR. : Oh, sure, no I understand-I understand. But, I-I just think that...

AUSA : That's one reason we're talking to you here tonight. That-that's part of the puzzle.

DR. : No-no, I-I appreciate it. I thank you for letting me talk about this and getting off topic a little bit but I think that sometimes as we get to retire and when I worked in New York City, New York City for example, it was great. But, we were very careful to do things the way the police wanted us to do. There-there-there are all kinds of diagnoses where people died and complicated psychosis with exhaustion was a big one, ya know. Now it's called variants of ah, excited delirium.

AUSA : Uh huh.

DR. : Nonsense diagnoses that are used.

AUSA : Well, that's I and I don't know what was going on in New York at that time but I-I'll tell you that what has said is-is what we are looking for is the truth here.

DR. : Sure. No-no. I understand.

AUSA : So that's what we're looking for. We're not looking to come up with diagnoses, silly diagnoses...

DR. : But-but, no-no I understand.

AUSA : ...or those kinds of things. We're-we're, this is a search for the truth and this is part of it.

DR. : But-but and here where...I've always had the idea you put doctors and lawyers together, you're putting square pegs in round circle things. But, 'cause one of the things I'm thinking in the broad sense as a physician is that just so you understand that we never have all the information and when we make decisions and we get to testify to the best of our ability...

AUSA : Uh huh.

DR. : ...ah and that ah one can always criticize something is not having enough information. That's all.

AUSA : Sure.

DR. : And that-and that there's gotta be a point where-where there's enough information to make a decision even though you don't have everything.

AUSA : And-and that's not, obviously that's not your job in this case, right? I mean, it's not your job to assess all the evidence and make a decision on this case. Is that right?

DR. : That's correct.

AUSA : I mean you're here as a forensic pathologist...

DR. : As a forensic pathologist.

AUSA : ...regarding your autopsy.

DR. : Right.

AUSA : Okay.

DR. : Right.

AUSA : Um, those decisions will be made by other people who, who actually do know all the evidence.

DR. : No, nobody's gonna know all the evidence, no.

AUSA : Who-who...

DR. : No-no-no how many witnesses, so it's gonna there may be 50 witnesses and how many you going to interview, ya know...three, four, ten?

AUSA : Well, a lot more-a lot more than that.

DR. : Well, that's good.

AUSA : A lot more than that.

DR. : That's good.

AUSA : But, yeah, I mean, the point is and again we've talked about this several times already is you don't-you don't hold all the evidence in this case.

DR. : That's right. Absolutely. Absolutely, that's true. Absolutely.

AUSA : You-you-you-you have...

DR. : And I don't know...

AUSA : ...you would have no idea who else has sat in this room and talked to us...

DR. : And I don't know all...

AUSA : ...or the FBI.

DR. : ...and I don't know all the important evidence too. I mean, there-there may be very important evidence but I'm just talking about what-what my se...

AUSA : And along those lines um, you ah, um, you've not talked to the investigators on this, other police investigators on this case. Is that right?

DR. : That's right. Except for today when I spoke to Mr. Detective or so, cause.

: Oh, he's in the prosecutor's office.

AUSA : The investigator from the prosecutor's office.

DR. : A, he-he was right, he was the one who took me to all the different (UI).

AUSA : Right, and he didn't fill you in on all the details of the investigation?

DR. : No-no

AUSA : Okay, and obviously you've not talked to any witnesses?

DR. : Right.

AUSA : Alright.

DR. : I've talked to lawyers.

AUSA : Yeah, ah, the-the lawyer...the family lawyers?

DR. : . Yeah, and...

AUSA : The lawyers who represent Mr. Brown's family?

DR. : Yes.

AUSA : Okay.

DR. : Yeah.

AUSA : Alright. Those are people you've talked to about the ah, the details of the case?

DR. : And what I was gonna say is as far as the autopsy goes, apart from the hand the gunshot wounds could have been 20, 10 feet away.

AUSA : Right. There's-there's really no way to determine how far away those were.

DR. : Well, you from witnesses.

AUSA : Be-beyond-beyond several feet. Ah, you 're-I'm talkin' about from your autopsy.

DR. : That's right.

AUSA : Right. Other than the gunshot to the head.

DR. : Two feet to two hundred feet would look the same.

AUSA : Right. Okay.

DR. : Right.

AUSA : Um, but a, until today you didn't have the benefit of having seeing the microscopic slides?

DR. : Right.

AUSA : Or the a...

DR. : Initial autopsy, photographs.

AUSA : The autopsy photographs, the x-rays. You saw those things today and the clothes?

DR. : Yes.

AUSA : A, until-until today you didn't have the benefit of those things, correct?

DR. : That's correct.

AUSA : And then ah, you haven't seen a gunshot ah, residue report ah, regarding the clothing or the body or-or anything like that?

DR. : I-I saw the clothing and I was told that there was no gunshot residue report but ah, I don't know that, as far as McGee knew, but usually there is but the shirt was bloody enough to obscure gunshot residues but there was...

AUSA : You have not seen Officer Wilson's medical records or the...

DR. : No.

AUSA : ...ah crime reports regarding the police car?

DR. : No, none of that.

: Were you gonna say something?

DR. : I was just gonna say, but there was one thing, the clothing that-that he did have drops of blood on his low part of his shirt where the...and on his pants and on his socks. And the only place that could have come from would be from the hand 'cause, so that while he was going...'cause as soon as he gets the other bullets wounds and he gets shot in the head, he collapses down on his belly and bleeding continued but not on the pants on the shirt, but not on the pants. So, I just think that the-the a the hand wound was bleeding considerably while he was in the process of which-which is another factor to take into account.

AUSA : Okay. You wanna take a quick break?

: Yeah, do you mind. Can we?

DR. : Okay, you want me to go out, I'll go out.

: No-no we'll go out.

AUSA : No-no, we'll step out.

DR. : Pardon me.

: Do you need a break, or you good for (UI)?

DR. : No, I'm fine I'll a, I'll a mention a I know I'm talking too much on this thing.

: No, you-you're fine.

DR. : I think you guys are in a position to do somethin' good in this whole thing.

: Oh.

DR. : The case and other cases too.

: I mean, that, we try to do good in-in everything that we do. We try, ya know.

DR. : But, they're hard. It's hard.

: They're hard and we're trying to be, we are being thorough. And we're being fair.

DR. : No, no I thank you anyway.

: We hope that we treated you fair.

DR. : I know you got your own opinions of things, but ah, I always give you. I was gonna say, that, the one thing you learn as you get older, you can say whatever you think. Ya know.

AUSA : And, we-we've done quite a bit of that tonight regarding things beyond your actual autopsy, is that right?

DR. : Yes.

AUSA : Okay, alright. We'll be back in just a minute. Okay?

DR. : Take your time.

SA : I'm gonna leave this on. Is that okay?

DR. : Pardon me.

SA : I'm gonna leave the recording on, is that okay?

DR. : Okay. So, if I talk to my wife I should know about it.

SA : Yeah, if you wanna talk to your wife, just step outside.

DR. : Okay, I'm fine.

SA : Unless you want us to record it.

DR. : No-no. I'm fine.

(Break)

(Non-pertinent talk about laptop with Cole)

AUSA : That's your laptop?

DR. : I had...yeah, I had left it in the car of a guy who drove me over. The attorney who drove me over.

AUSA : I see. So he dropped it off for you?

DR. : So he came back here with it. Yeah, I didn't know that until I just made that call.

AUSA : Alright. Okay, well I think we're-we're a, we got just a few more questions Dr. then we'll wrap this up, okay?

DR. : Yeah.

AUSA : I do appreciate your time tonight. Um, you-you talked somewhat about the ah, um, family contacting you to do this autopsy and you-you did waive your fee. Yeah, my understanding is your fee normally is \$10,000.00, is that right?

DR. : Well, it varies.

AUSA : Okay.

DR. : I do a lot of pro bono work. And those people can afford it. To pay extra.

AUSA : Okay, um, to-to help defer the cost of cases like this where you waive your fee?

DR. : Yes. Yeah.

AUSA : Okay, um, can you just tell me how you became involved in this case. Who contacted you, when did that happen?

DR. : I was, as I recall I was called by Mr. a few days, I'd say, my secretary probably, may have more on ya know on Thursday or Friday, ah, saying that the family wanted to have another autopsy done and ah, could I come, could I do it? And, I had been reading about the fuss being made and all that. So, I said ah, okay. I said I would, I could come down Sunday to do it. Ya know, 'cause they had nothing, that-that was clear.

AUSA : And so that, you-you came down Sunday the 17th, it would've been the week prior to that-that you were contacted on Thursday or Friday?

DR. : Yeah, wh-wh-when did the death occur on the 9th or something?

AUSA : On August 9th if the death occurred on August 9th, it would've been within the week after the...

DR. : Eighteenth, yeah, it was about a-a, about seven or eight days after, about a week after and I think when I did it-it was about nine days later, right-right. After it, so that...

AUSA : If you conducted the autopsy on the 17th...

DR. : Yeah.

AUSA : ...obviously that's eight days after the-the actual shooting.

DR. : Yeah. So they-they probably called me about two days before.

AUSA : Okay, two days before the autopsy.

DR. : Yeah, and I agreed to come down and when I came down the first thing I had would always do is speak to the family and just go over things and see what they were, their ah-ah, were concerned about and to find out what past medical history, his surgical history the person has and all, and a.

AUSA : When was it that you got into St. Louis? When did you come to St. Louis?

DR. : I-I don't have my camera my calendar with me. If I spoke to 'em on Monday, so I would have it, I would have-I would have the dates on it but I would assume I came in like on-on Saturday probably and did the autopsy on Sunday.

: Did you come, do you remember coming the day before? Or did you come the morning of?

DR. : I'm not sure. I'm not sure. I would've...I think I stayed over one or two nights. I'm not sure. So, I either came...I probably came Saturday and did Sunday. Saturday evening and did it Sunday.

AUSA : And then the news conference Monday was in St. Louis, is that right?

DR. : Was, yeah, that was, that was not part of the deal. That was just set up. And then they, the family asked me to go to it.

AUSA : Alright.

DR. : And...

AUSA : And then, but that news conference on Monday the 18th was in St. Louis?

DR. : I think so.

AUSA : The news conference.

DR. : Yeah, I think so.

AUSA : Alright. Did you, you flew out then after the news conference on Monday?

DR. : Yes, after-after the news conference I came back to New York City.

AUSA : Alright. And, when you flew into St. Louis, you flew from New York to St. Louis?

DR. : Yes, and then somebody picked me up and brought me to, to where? Where was the other...the autopsy was done in St. Louis so I stayed in St. Louis to do it.

AUSA : Okay, alright. So, you would've come in either Saturday the 16th or Sunday the 17th to do the autopsy on Sunday the 17th.

DR. : Yes, probably Saturday but I could, if you wanted that information, then give me a ring and I-I-I don't have my calendar.

AUSA : Alright. And a but it was actually, it was Mr. that contacted you about doing the autopsy?

DR. : Yes.

AUSA : Alright. And then a...

DR. : 'Cause we knew, we knew a, he knew me from a previous case.

AUSA : Alright. What case was that?

DR. : The Anderson case. And-and that was the one I was called by the NAACP and Mr. was introduced and it was a death in a boot camp...

AUSA : Uh huh.

DR. : In-in Tallahassee. I think it was Florida. Anderson was the name of the...well it was 17 year old kid or something.

AUSA : Mr. was the lawyer on that case?

DR. : He was the lawyer in that case?

AUSA : Did he retain you in that case to do an autopsy.

DR. : Yeah, but I think also that was a pro bono case.

AUSA : Alright.

DR. : But he would, initially someone from the NAACP called me and then called me as the lawyer and I came down there and I testified in various...did the second autopsy...was involved in the second autopsy.

AUSA : Alright.

DR. : And then testified to some things and ah...

AUSA : How about (phonetic)? Have you worked with him before?

DR. : No.

AUSA : Alright. And-and what was the extent of your work together on this case?

DR. : When I came down I was introduced a when I was going to the autopsy the next day, I was told that (phonetic) was going to assist me that he had been hired by the local, not by but by a , by .

AUSA : , the lawyer ?

DR. : Yeah, the lawyer, that's the two lawyers that I know about here. A, had hired him for the family and he assisted me at the autopsy.

AUSA : Alright. And...

DR. : I didn't know much about it. He told me he had a picture of me that some years before when I did an autopsy in Kansas City he-he was working as a medical, as a student assistant and I signed something for him, which he showed me.

AUSA : Alright.

DR. : That was my kind of day, he was too (UI) he apparently was advised I was advised that he helped in a, in autopsies.

AUSA : Alright. And, so you never-you never worked with him before?

DR. : No.

AUSA : Alright. And, so what it-it when you-when you did you actually conduct the autopsy then on Sunday the 17th?

DR. : Yes.

AUSA : Okay. And, Mr. (phonetic) was there with you?

DR. : Yes. He-he assisted.

AUSA : He assisted you. Where did you do the autopsy.

DR. : At the funeral home...I think the a, the body was removed to the funeral home and was embalmed before I got there.

AUSA : Alright and ah...

DR. : Which I...well that is ah...

AUSA : That was the Austin Layne Funeral Home?

DR. : I think that sounds, that sounds right. And I think that, and when we got there, I preferred the autopsy be done without embalming. But, it was embalmed and they were concerned I guess about the deterioration of the body.

AUSA : Alright. And so you conducted the autopsy that day. What a, did you- you do a both an internal and external examination in your autopsy?

DR. : Yes.

AUSA : And, you did that in this case?

DR. : Yes.

AUSA : Okay. And, just can you kind of if you could, briefly run through what- what the procedure was? Tell me just personally what it was that you did as far as the autopsy's concerned.

DR. : Um, I examined the body externally. One of the things that um, that a, what ya call it, (phonetic) did was help turn the body over on the back and-and-and look at the back and look at the front. And also took photographs. He had a camera and took photographs. Um, and ah...

AUSA : You actually, you have photographs documenting the autopsy?

DR. : I have the photographs I took.

AUSA : Okay.

DR. : Which aren't too many 'cause I didn't...but he has the photographs that he took and um...

AUSA : So, you did the external, you did the external examination?

DR. : So I-I examined him externally, saw the bullet wounds, tried to see how they lined up, um, then a opened up the previous "Y" shaped incision. See the autopsy had been ah, done so then I opened up the "Y", I opened up the "Y" shaped incision. I took all the organs out, examined everything, made notes and um-um, in a normal course saw that the- the um, embalming had taken place so that, ya know, additional toxicology would not have been um, of value since they already gotten the, ya know, if it was a fresh body un embalmed they could sometimes be helped to do additional toxicology but I felt it wasn't necessary. It wouldn't have been productive. And a, did the examine, a examined the body and worked out the different bullet tracks and tdirectories (phonetic) and um tried to leave it as fluid as possible 'cause there were eight perforations...eight entrance perforations, ya know whether it's six or eight, um...

AUSA : Well it's.

DR. : ...but it's fluid that could be six or more. And a, I think I counted six and there were some other people saying eight which, ah, which is

okay. And then a, now I have a better idea. Ya know, having seen the- the original um, ah, state of the body before it was autopsied.

AUSA : Uh huh.

DR. : It was-it was very helpful.

AUSA : Alright. And-and other than you've, we talked a lot at the beginning about the re-entry wounds and whether or not they're re-entries or not. Any-anything else about the medical examiner's report, St. Louis County Medical Examiner's Report that you-you're in disagreement with in anyway?

DR. : No-no. I-I think they a, did a nice job. I think that the-the a that was good that they took sections of the-of the, that was the only wound I saw that they did sections of but because that's a funny wound and at their right, that there was a gun powder residue there.

AUSA : Alright.

DR. : Um.

AUSA : You-you've a, told me about precisely what you did with the-the autopsy. What was Mr. (phonetic) role? You-you talked about him taking photographs and helping to roll the body. This is a large individual you're dealing with at the autopsy.

DR. : Right.

AUSA : Right. He helped to roll the body over so you could examine it.

DR. : Right.

AUSA : What else was his role?

DR. : That's it.

AUSA : Okay.

DR. : He had ideas. He said things about what he thought the-the ah, the bullet tracks were and all but...

AUSA : Uh huh.

DR. : ...You know I-I relied on my own a opinions as to what happened.

AUSA : Alright. And were the two of you there present, both of you present during the entire autopsy that you conducted?

DR. : Yeah.

AUSA : Alright. Were there anyone else present at the time, at that time?

DR. : Maybe the funeral director put his head in and out a couple times. But a, nobody else was present, no lawyers present, no-nobody else was there for the whole time. I was there the whole time I think, (phonetic) was there the whole time.

AUSA : Are you aware of what Mr. (phonetic) role was before you came to St. Louis, whether he had any role in examining the body, are-are you aware of that at all? Before you arrived in St. Louis?

DR. : He-He had taken photographs of the body because I did see, I don't have 'em but I did see they had photographs of the body before it was embalmed so that he had been there when the body came fresh and then um, when I saw the body the body had been embalmed so...

AUSA : Do you know the extent of what he did at the time he took the pictures before the body was embalmed?

DR. : No.

AUSA : Okay.

DR. : I just assumed that the body was well, I'm not sure what happened during the embalming process, um, the normal embalmers would ah, often open up the initial incisions to get better, ah, to bet, better ah what do you call it a fixing, ya know preservation of all the internal organs you don't do that in an unembalmed body and in an unautopsied body, but...

AUSA : Uh huh.

DR. : But in an autopsied body they'll make sure that there's no phemaldihide embodied in all the body parts and organs.

AUSA : Do you know...

DR. : This was a very well embalmed body.

AUSA : Do you know whether or not Mr. (phonetic) re-opened the body before you were there and conducted your autopsy?

DR. : I'm, I don't think so. I-I do-do I know that?

AUSA : Yeah.

DR. : I assumed he hadn't, but I don't know ah, I don't know whether I made any inquiries in that regard.

AUSA : Alright, and ah, I'm just asking if you know.

DR. : No-no-no-no. I...

AUSA : Um, and, but you're aware that he took, that he actually had seen the body obviously before you arrived in St. Louis.

DR. : Yeah because I didn't know that until I saw-saw the pictures he had, which were um a clearly that taken while before the body was embalmed actually. And the embalming process itself does open the body.

AUSA : Alright, and are you aware of the extent of what he did at that time?

DR. : I don't know if he was there. No.

AUSA : Other than taking photographs?

DR. : No. Yeah but I guess he, he.

AUSA : Alright. Did he say anything to you about any examination he did before you arrived?

DR. : He said that he tried to figure out the gunshot wounds, which I thought was nice but that was my job not his job you know to do it. But he had ah, he had spent some time um, trying to figure out the wounds but mostly from the external, ya know, where the entrances were; where the exits were and he seemed to be pretty bright kid about that.

AUSA : And, do you know...but you don't know the extent of his examination to try determine the-the gunshot wounds, whether it was internal or just external? You just don't know?

DR. : I don't know.

AUSA : Okay.

DR. : I think, I'm just trying to think whether, when I saw the photographs, there was um, there was internal photographs, there may have been-there may have been. Now, that again would be a, maybe he-he did something which or maybe that was part of the embalming process when there it's opened up, but ah, he was there apparently when the body was opened up if I recall correctly that there was some

photographs of the body um, after the stitches were removed and I'm not sure how much stitches were removed. I just, I don't...

AUSA : Do you know, was he hired by the family to actually conduct the autopsy?

DR. : Ah, I don't know. He was...I didn't know what his role was when I got there because I dealt with and he was there and I'm not sure what the, my understanding was that a had known him or contacted him and ah, I just assumed he was there to help. I don't know what he was told. I assume he would've been hired to assist but he was there before I was asked to asst...I'm just thinking about this now yet, he was called upon before I was called upon. So, I don't know what the arrangements were and what ah, um, with him at all and I didn't even know he existed until I came down, ah, because didn't mention anything about that to me.

AUSA : You ah, you though, in the course of your top-autopsy though you actually did track the gunshot wounds. That was part of your autopsy?

DR. : Yes.

AUSA : Alright. Part of your exa...your personal examination?

DR. : No, I did the whole autopsy.

AUSA : Okay.

DR. : Now, he was there and he helped and he wanted to had suggestions to what, whi-how-which the bo-bullets go. Um...

AUSA : As we sit here though, you know that Mr. (phonetic) was with the body before you actually were there to do your autopsy, correct?

DR. : Yes.

AUSA : And, you know that he was with the body at a time that it was opened, you don't know...

DR. : I think so. I think so.

AUSA : Okay, you're-you're basing that on the photographs you saw?

DR. : Yeah, I-I think and ah...

AUSA : Okay. Did you ask him about that?

DR. : No, I didn't ask him. I didn't ask him because I, it's not a usual question to ask. I mean people, normally the person who helps in the autopsy takes pictures and helps out is the funeral director. Ya know a, somebody ah, that some one of the funeral director people help. So, ah, it isn't ah-ah-ah very ah, position that I inquire about how many of them have you done, ya know. Push 'em this way, push'em that way. I thought he was-he was um, knowledgeable much more knowledgeable than other people who had assisted. And, um, I'm just trying to think back, 'cause you ask me...um, I'm not, vaguely remember that a, he was there with Mr. and I don't know what his role would've been before I got there. I don't know what that role was.

AUSA : Alright. At the press conference on August 18th um, you made some remarks um, basically just kind of some introductory remarks and you talked a little bit about the autopsy and then you turned it over to Mr. with the diagram to talk specifically about the wounds on the body. Was there a reason for that?

DR. : Yeah, he-he had worked hard there. He had provided the sketch, he had the-the outlined sketch. He had-had from other autopsies and all and I felt that ah, um, I don't wanna be in too much of a, the press' eye in general. I don't, I-I didn't like that. I felt uncomfortable about that whole thing 'cause I didn't know what was gonna happen.

AUSA : Oh, are you talking about the-the press conference?

DR. : The press conference. I was uncomfortable about the whole thing. I thought he was a very eager guy and that-that ah, ah a what you call it, I-I read some place and I don't know how true it is and I haven't spoken about it, that he said that I asked him to do that because he was more concise than me. Something like that, which if he said that, is ah, not true, but I thought I'd give him the right to do it in the situation we're um, I ah, wanted to back off a little and not be the leading edge of ah whatever was going on.

: Why weren't you comfortable at the press conference?

DR. : 'Cause I don't like to have press conferences before all the information is in. At the same time um, the family has a right. Ya know, I came down for the family, the family wanted this, the family's lawyers wanted this, so I um, and I thought that it's not fair a that-that things are better off if there's a, as I said if there's more transparency, um and that I'm not under the same obligations as ah, somebody who works for the prosecutor is, ya know, may be, I'm different, they're in a different setting than I would be in and I thought it was important to since this was pretty straight forward stuff, I mean, there's no reason that they couldn't know. Ya know all the issues that come up and still have to be worked out, but being shot at least six time a was-was pretty

true. And um, the fact that he collapsed immediately after the gunshot wound to the head was the, was I think helpful to the family and a, so I thought that it was a reasonable request by the family but as a, as ya know, I find it like I've had lots of requests the past week or so when it was leaked out that I was coming up here. A where the press tell people that to-to come to Fox to come to other places to-to-to talk and ah, ya know, in my youth sound like a good idea but I've learned over the years that it's better not to do that kind of stuff and ah, even after the ah, the um, ya know, at least I have an excuse until the Grand Jury comes back. I don't wanna...

AUSA : When I, I think we talked about this before that that's one of the reason's you got involved in this is obviously the medical examiner has certain obligations where they may not be able to release things immediately but you're-you're more able to do that being hired by the family.

DR. : Yeah. Well, but-but other than than to release it, but at least to tell the family. The family would still not know until today what the autopsy findings are on-on-on an official basis ah, and I think that's just too long and I think sometimes I, my experience that a prosecutors abuse that power, ya know. That ah, rarely does, can but usually releasing information right away doesn't ah, necessarily ah, impede an investigation, sometimes it does. But-but, you have to pick and choose. Here there was, everybody saw what happened, ya know.

AUSA : Uh huh.

DR. : Ah, whatever it is they have their opinions and the-the-they're no matter what goes on the police will see it one way, the people for who a friends of the police see it one way, the family sees it another way, the community so...

AUSA : And-and but if-if those witnesses don't know what the autopsy um, what the results are, then as we've talked about before, that can be a valuable tool to assess the credibility of witnesses, correct?

DR. : Y-y-yes, but at the same time it's-it's it creates more cover up that the thought is after eight days or a week, the family felt very strongly that this is all part of a cover up. That the police do it, the medical examiners a friend of the police and they're just covering up for the police. And, this happens a lot of times.

: Let me ask you this. You've looked at the slide um, from the wound in the palm. Did you also look at the slide, there was um, there was something collected from outside the car door.

DR. : Yeah.

: Did you look at that slide?

DR. : Yes.

: And, what was your finding of that?

DR. : I think that matches up with skin from um, the wound site and I think that-that-that ah, that-that skin which was made into collected by police and made into microscopic slides...

: Right.

DR. : ...by um the medical examiner, is um, matches up a with the skin, the sections in that it's thick skin, thick tissue of the kind that you see in palms of hands and there is some gunshot residues in that ah, in that skin also. So, I think what happened is that after he took his hand out he must have touched the car which makes sense. And um, left a piece of tissue there because that tissue had a lot of destruction of that tissue and ya know, it's a, it-it's considered, it's not a serious wound in killing a person but it really, did you see, have you seen pictures of it at all?

: Yes.

DR. : It-it really tore up a lot of the skin because the gases and all came and a slowed here and it destroyed a lot of vessels. He's not gonna die from it uh, and he would need stitches suppo, he should have stitches done if he was alive to and it would heal up in a while but a, it-it-it was enough to 'cause enough loose tissue that if he put it against the-the car a piece would come off and I assume it came that's how it happened.

AUSA : And you-you've been demonstrating about the-the referring to the a wound to the palm of the hand.

DR. : Yes.

AUSA : Or, just above the thumb.

DR. : Just or as we say below, just below the thumb.

AUSA : Anatomically just above or, right?

DR. : Well, does it come just below the thumb? It's-it's-it's proximal to the wou...we'd say it's a, yeah, it's above the thumb from an anatomic position point. Very good...yes but that could be confusing see.

AUSA : Sure.

DR. : You're right. You're actually right.

AUSA : But, the anatomical diagram would be just above the thumb.

DR. : Yeah.

AUSA : Basically at the-the sort of the heel of the hand.

DR. : The palm of the-the-the muscular area in the and just between the thumb and the wrist.

AUSA : Okay. And so, what you're-what you're saying is your opinion is that the tissue, the skin that was left on the door, would have come from that wound to the...

DR. : Yes.

AUSA : ...near the thumb.

DR. : And which was, which was...as far as I can see was the only bleeding area on the body when he leaves and that's why I think that there's blood dripping from it on his pants and all and um, and then when he got shot further, it's gonna bleed. He falls to the ground and the bleeding is all right into the shirt.

AUSA : Alright. You have anything else?

: I don't, do you?

SA : Dr. , is there anything else you wanna tell us, relative to this case?

AUSA : Relative to this case.

DR. : I-I think ah, yeah, the one thing I would say we did something in New York State, just when it came to deaths and custody...deaths and corrections and then and also deaths of police on the street, where because of the riot of 70, in 1971 before you were born, um, that killed 43 people, the Attica rioting, and one of the main reasons for it was the fact they thought that a that people were dying and being covered up, ya know prisoners were for various reasons. And um, they set up this special board, were Governor Rockefeller at that time a, just five members now it's six or seven members, ya know...having forensic psychiatrist because a lot of the deaths were ah-were ah hanging suicides, forensic pathologists, see bodies weren't autopsied at that time in jails and all that. All bodies should be autopsied if they don't do it, we'll do it...a-a sheriff to control us because he, to protect the jail situation to give us the reasons why things of them, a lawyer out of the bar association, and a community person to review all deaths in

custody...police custody and correction custody. And the very act of and saying, and the point I guess I wanna make, it can't be done on a local level because there's 62 counties in New York State and old prisons and you can't have counties examining deaths in custody, police or correctional because there's too much ah too much a friendship among them and too much distrust if a, if a from the family when somebody dies. So, this was done on a state level. There's a state permission to look into this still-still active and a, immediately it changed habits of everybody across there. Police stopped using choke holds were preset to kill people stopped. The corrections stopped tear gassing people where people would be dying after tear gassing them and the correctional officer would come in and the know with their masks on and beat the shit out of him and everybody would come out and nobody did anything. The those things stopped. Suicides stopped because ah, we establish (UI) and just...and everybody were pissed, legislation was passed that everybody dying in corrections had to be autopsied ah, because and as a result of all that, um, a lot of a-a patterns changed because as soon as you know that somebody's gonna look over what you did , that in itself helps. And, it also calmed down the lawyers and the prisoners who were rambunctious because when they had something bad and we looked at it, sometimes we'd find, usually in the officer's favor, but sometimes in the prison's favor and they knew we were trying to do a fair job and that immediately calmed things down with the prisons and all that and I just think that there has to be some way of looking at um-um a, deaths involving police. That takes it away from the locals.

: Well, and that's why um, there's a Civil Rights Division at the Department of Justice, right, because I'm not from here and-and that's why the FBI is here because the agents aren't from here and so that's why we'er here...

DR. : I know.

: ...trying to be as fair and thorough as we can.

DR. : I know, no-no I know that and I appreciate that and thank you.

: You don't have to thank me. I'm just letting you know.

DR. : It-it-it's just-it's just that I think that it's a serious problem and it's gonna get more serious as ah, as you can see just the very fact that ah-that ah, um the publicity given to-to ah Brown in this case has-has lit up places otherwise that-that deaths that would have gone unnoticed have suddenly become noticed that the newspapers reported on that and-and I think that they-they, we find that the community people live in-in New York State that could whether it 's the legal community, the prisoner community, the family communities, ah, are much more

satisfied now that when somebody dies in custody that ah, there's gonna be a fair investigation done. Not by the local police, but by state agency.

AUSA : Right, I hope you know that's what were, that's what we're trying to do here is a fair-a fair investigation.

DR. : Oh, no I know that. I know that.

AUSA : Yeah.

DR. : But, what I'm trying to say to egg you on and say that this goes beyond this case.

: We-we realize that.

AUSA : No doubt about it.

: We-we obviously.

DR. : And what you do-and what you do is gonna be important because- because of um everybody's looking at this case.

: Well, and-and-and the important thing Dr. is that, ya know, the only people who really know what happened are the people who know all the evidence and so, we just...

DR. : Well, the more evi that's right, the more evidence you know the better decision you can make.

: Right. So, speaking of, is there anything of evidentiary value that you want to tell us that you haven't.

DR. : Of value.

: Evidentiary value that you wanna tell us.

DR. : Ah, let me think about this, but if anything comes up, I have your numbers.

: You have my-you have my personal cell phone number.

DR. : I like the fact that you said 516 number. I'm familiar with 516.

: Yeah.

DR. : Ah we started out when I was a kid. You can only date people in your own ah, in your own ah zip, not the zip code, the telephone exchange.

Ya know, whatever, because otherwise it got too expensive to go from Bronx to Brooklyn or something like that. So, ah, now...

AUSA : Even on-even on the subway.

DR. : Well, it was a longer subway ride.

AUSA : Yeah.

DR. : You know it, if it they weren't in you're a, what'd you call it a?

: Area code.

DR. : Area code, yeah you-you we did it by no we did it by telephone exchange. What you know the telephone exchange.

SA : Area code.

: Oh yeah.

DR. : Like Butterfield (UI).

: Yeah.

DR. : I'm sorry. Now, may I ask you a favor.

: Ask.

DR. : Ah, can I get a lift back to the hotel which is for not a.

AUSA : Why don't we-why don't we wrap this up and we'll arrange for that, alright?

DR. : That's alright.

AUSA : Alright.

DR. : But it's just a few blocks away.

: Yes.

AUSA : Sure. Of course and I know it's cold outside.

: Yes.

AUSA : Well, why don't we wrap this up and we'll-we'll arrange to get you back to your hotel.

DR. : I thought I wrapped it up.

: Well we have to

SA : I have to turn off the recording.

DR. : Oh, I'm sorry.

SA : I have to turn off the recording.

DR. : Oh.

SA : The time is now 10:00 and the interview is concluded.

DR. : Thank you.

November 11, 2014
1:14 p.m.
Special Agent (SA)
Federal Bureau of Investigation

SA = SA
AUSA = AUSA
DOJ Trial Attorney =

Unintelligible = UI

SA Today is Wednesday, November 12th, 2014, 1:14 p.m. I am Special Agent , St. Louis Division FBI. Here for the interview of , oh I'm sorry and also present with me are..

AUSA A Assistant U.S. Attorney

And from the Civil Rights Division at the Department of Justice.

SA Here we are.

AUSA Alright, thank

SA Certainly.

AUSA Alright a thanks for being here today. I know you came down here voluntarily to talk to us and we appreciate that, okay.

Uh huh.

AUSA Um, I a we're meeting with you and I know that you gave a-a statement before. It was back on August 21st, where you talked to a detective and an FBI Agent but we had some follow-up we wanted to do with you, okay.

Okay.

AUSA Aaah just some additional questions that-that we had and we wanted to talk to you in person, okay?

Alright.

AUSU Um keep in mind obviously the interview's being recorded as a, as told you before we started um, obviously there's an audio recording, your aware of that and your okay with that?

Yes.

AUSA Okay. If I ask you a question that calls for a yes or no answer just be sure to answer out loud. Okay?

 Okay.

AUSA Aaah so that the recorder can pick it up, you understand?

 Yes.

AUSA And don't answer any questions that you don't understand. Okay, if I ask you something and you're not sure what I'm asking you, just feel free to ask for an explanation and I'll do that.

 Okay.

AUSA Alright. And a also importantly it-it's likely as we go through this we'll go through it in some detail okay what you saw back on August 9th and as we do that, we may restate things back to you. Just to make sure we understand what you're saying.

 Okay.

AUSA If at any time we say something that's not exactly right, or that you don't agree with or you don't we've got it right, just feel free to correct us, okay? We're-we're looking for information from you, were not trying to characterize your statement, okay?

 Alright.

AUSA Alright. Um you-you have to understand this is a federal investigation okay? And a its-it is a crime under federal law to lie to us or the FBI, you understand that?

 Alright.

AUSA Okay, so you just had to be sure to tell the truth today. You understand?

 Yes.

AUSA And we talk to all witnesses about that, I don't expect you to come in here and lie to us. I just need to inform you of that, you understand?

 Yeah.

AUSA Okay, um are you um under the influence of any drugs or alcohol today?

No.

AUSA Aah anything else that would affect your ability to be truthful and accurate today?

No.

AUSA Has anyone made you any promises or threatened you in any way?

No.

AUSA Okay.

And we talked before on the phone just about you coming in and-and so obviously were sitting here and it's-it's the room. You know the doors are closed, but you understand it's totally voluntary. So if at some point you say I don't want to talk to you anymore.

Um huh.

Then let us know and we'll let you leave. We're not gonna keep you here, okay?

Okay.

Okay.

AUSA And I understand you talked to _____ on the phone previously about coming into talk to us, is that right?

Yes sir.

AUSA And you arranged to do that?

Yes.

AUSA My understand is the two of your didn't talk about what you actual saw that day or the substance of this, correct?

No we didn't.

AUSA Okay.

We just kept talking about logistics, what day, what time, how you were gonna get there, right?

Yeah, what day and what time I was gonna get here.

Yeah, okay.

AUSA

Okay, can you um, can you just start by telling me um who were you , who you were with back on August 9th and where you were going?

I was on my way to I was with my mom, my dad and my sister. Believe that will, I believe those were the only people in the car with us.

What about, was with you? Do you have ?

Yes I have I think that was in the car.
Yeah,

AUSA

And how ?

AUSA

Okay.

Yeah.

And also 'cause some...

might have been in the car.

Okay, so before we um get too much further. I just wanted to let you know a lot of the times because a lot of people, I know you got were with-with your family and there's been a lot of people talking about stuff and it's fine to tell us what you, what you heard about or what you learned from other people...

Um huh.

...but just let us know that you heard about it, versus what you yourself saw with your own eyes. 'Cause we want to be pretty clear about the difference between what you saw yourself versus the stuff other people may have told you.

Alright well I can't remember but I think that might have been in the car with us...

Okay.

..yes. I remember seeing my sister on my side and I remember seeing my dad and my mom in the two front seats.

AUSA

And which sister are you referring too?

AUSA

Yes,

AUSA

Alright, she was as next to you in the seat?

Yeah we were on are our way out there to go see that stays
right on the So I was plannin' on going to see

AUSA

And where is that?

It's a not too far from where he was shot, like on the corner right there.

AUSA

Alright it's up in, a off of Canfield Drive.

It's-it's

AUSA

Ok.

Yeah.

AUSA

Alright.

AUSA

So you were in the in a car with your mom and your dad, your sister
?

Yes.

AUSA

Yes.

AUSA

Okay and um where were your parents sitting in the car?

My mother was driving, my father was sitting in the passenger seat.

AUSA

And where were you sitting?

I was sitting behind my mom and my sister was sitting next to me.

AUSA

Alright, was your sister was sorta in the middle of that second seat, is
that.

Um huh.

AUSA What kind of vehicle were you in?

We were in And yes we were both sittin' in the two middle seats.

AUSA Okay.

And then there were

AUSA Um huh.

Yeah.

AUSA Okay, that's fine.

Okay.

AUSA Alright so you all are in and your um on Canfield Drive?

Yes.

AUSA And what happens?

Aaa we pulled up at a stop sign and we heard two shots and while we were tryin' to figure out whether they were gun shots or firecrackers we seen a, well I saw the guy, Mike Brown. I seen him take off running and I saw the cop following him and shooting at him and I seen him turn around and stumble or come towards the cop and then I seen him hit the ground. That's all I saw.

AUSA Okay.

It was like when I heard the first two shots I was actually playing on my phone so I didn't see where the shots came from and when I looked up I seen him running, I seen them both running in the opposite direction.

AUSA Alright and so they were running um, if you were headed where were you on Canfield Drive. Which direction you-you were you going. Can you, can you tell me?

Okay a I was coming away from West Florissant. I can't exactly tell you which direction that is.

AUSA Okay.

But a, is West Florissant is at the end and we were coming down Canfield.

AUSA

Coming, had you...

Away from.

AUSA

...had you come off of West Florissant onto Canfield?

Yes.

AUSA

Okay so you turned off of West Florissant headed on-on Canfield towards the apartments.

Yes.

AUSA

Alright. Those are the Canfield Green Apartments, back there?

Yeah, I guess that's what those are called.

AUSA

If you know.

I-I don't know the name of the apartment down there...

AUSA

Okay.

...I just know that their on Canfield Drive.

AUSA

Alright.

Aah I haven't been out there very many times, but I did visit out there. I guess I didn't.

AUSA

Okay, so you would have been coming then off of a West Florissant on Canfield. If I represent to you that's headed East on Canfield would that sound right?

Okay, I guess.

AUSA

Alright.

Either way you know you were coming....

AUSA

Yeah.

....from West Florissant.

Yeah I know I was coming from West Florissant .

AUSA Okay, and so your there, your um in with your family, you're on
you said you were playing on phone, what were you doing on your
phone?

 Candy Crush?

AUSA (Laughs) Alright. (Laughs) Alright.

 (Laughs)

AUSA And how-how were you doing?

 Ahh, actually it was a pretty good game.

AUSA Alright, good, good...

 (Laughs) It's addictive, right?

AUSA ...but then-then you heard. You heard two shots?

 Yeah I heard the two shots.

AUSA You didn't actually see those.

 I didn't see them.

AUSA Okay.

 I heard the two shots, the pow-pow and then I looked up and I was like
what was those fireworks and my mom was like I don't know. Then we
seen the officer run behind him with a gun.

AUSA Okay, and which direction were they running in relation to you? Were
you?

 Away from us.

AUSA Okay.

 They were running down Canfield.

AUSA Okay they-they were running down Canfield the same direction you all
were going in your

 Yeah same direction we were headed with

AUSA Okay and um wa-was there did you see a police vehicle there at anytime?

 Yes as a matter of fact we weren't too far from it, I say a maybe two, two cars lengths away from it.

AUSA Okay.

 Yeah.

AUSA And do you know what-what direction the car, the police car was facing in relation to you.

 I can't remember.

AUSA Okay.

 I can't remember. 'Cause I thought that it was facing the same direction but my sister said it was faced towards us.

AUSA Alright.

 I'm not sure.

AUSA Okay, so you've...

 I'm not, I don't remember.

AUSA ...you've it, is it safe to say that since that time I mean this is all the way back on August 9th now. Since that time you had talked to your family somewhat about-about what all you saw?

 Yeah.

AUSA Okay.

 We've-we've talked about it, yeah.

AUSA And it sounds like you initially thought that the-the police car was going the same direction as you are, but your sister has indicated to you it was actually going the other direction.

 Yeah.

AUSA Okay.

 That's what they say.

AUSA

Okay.

Yeah.

AUSA

And a it when you say they, is that your sister and your parents also?

Yeah, my sister and my parents.

AUSA

Okay.

They say that the police car was facing us.

AUSA

Okay.

Huh.

AUSA

And um, okay so you-you do see a police vehicle. Can you describe the police vehicle? Do you remember what it looked like?

It's a squad car with the regular a police a you know logo on the side of it. Just a regular white squad car.

AUSA

Okay, it was, it was actually a car?

Yeah, it was a car.

AUSA

Like a sedan type vehicle?

I believe.

AUSA

Okay, well let me ask you this. Was it, was it a car versus a truck, if you know?

I believe it was car.

AUSA

Okay.

If I remember correctly, um not quite sure about that because I couldn't remember which way it was facing. So I believe it was a car.

AUSA

Okay. It sounds like maybe you didn't get a very look at the actual vehicle. Is that fair?

It was too much going on.

AUSA

Yeah.

I was looking for where the gun shots was coming from and trying to figure out what was going on with them. I seen the guy running and the cop chasing him.

AUSA

Okay.

And kinda didn't expect from him to just die like that.

AUSA

Yeah.

Yeah.

AUSA

Oh I understand.

It was a little bit shocking.

Yeah.

AUSA

I can imagine. But a it sounds like though that as far as a police vehicle. I mean you're not real sure which way it was facing or what kind of a vehicle it was.

I just remember seeing the police logo on the side and the light, so it had to be a squad car right? If the light on the side of the a. I remember seeing the light, yeah the a big search light on the side of the squad car. 'Cause when I first seen them, they looked they were standing closer to the squad car before they took off running down the street.

AUSA

And whe-where did you see them?

Like I guess at the end of the squad car, like next to the trunk or something?

AUSA

On.

That's when I first seen them.

AUSA

What on what side? On what side of the car?

They were like out in the street.

AUSA

Okay.

Yeah. And that's when I seen him run.

When you're saying them, who are you talking about?

The cop and aahh Mike Brown.

Okay.

AUSA

Did you see anyone else out there in the street?

A whole lot of people. It was like a-a women walking down the street that was on the side of and people sittin' outside with the kids and people just standing around everywhere. There was a whole lotta people.

AUSA

Okay, did-did you see anyone else that looked like that they were with Mike Brown at the time?

Ut huh. I wasn't paying that much attention.

AUSA

Okay.

Like I say I remember seeing people around, but I didn't see exactly what happened before the shots.

AUSA

Um huh.

And I didn't see what happened, all I saw was him running. That's all I saw.

AUSA

Okay, alright. And you had said before I mentioned your statement back on August 21st, you said before that you thought when you saw the police officer he was actually on the passenger side...

Yeah, but I thought...

AUSA

...of the car.

...the car was facing the opposite way.

AUSA

Okay.

But if they say it was turned our way, then it would had to been the driver's side.

AUSA

The driver's side okay, okay.

Yeah, so...

AUSA

And that again that goes...

...that's the part that's kinda fuzzy to me.

AUSA I understand, that's kinda fuzzy and that-that kinda goes to you not having gotten that-that good of look at-at that portion of this. Is that right?

Yeah.

AUSA Okay, alright. Um and then okay so you see the police officer and you see Mike Brown and-and what happens then?

Okay, a by the time I looked up, Mike Brown was already running towards the corner.

AUSA Okay.

And the officer had the pistol in hand and was chasing him and fired a couple of shots at him while he was running, and I seen Mike turn around like he had given up or something, you know. But he was still moving, he was like coming back at the officer and the officer just kept shootin' at him.

AUSA Um huh.

Umm.

AUSA Alright, you had said before that you-you-you um that he came back he was coming back towards the officer at the time the officer was shooting at him.

Yes he actually came back towards the officer. He like got to the corner and turned around. He had been shot a couple of times and.

AUSA Do you know where he was shot? By the time he turned around?

I can't tell you exactly where the bullets hit.

AUSA Okay.

I don't know. I didn't see...

Why don't you think that he had been shot by the time he had turned around?

You can see like a his clothes movin' when the bullet, the cop was firing the bullets. You could like see them hitting in different areas but I can't exactly tell you where you could see him moving. Like something was hitting him and then he turned around and I'm like okay I guess he got shot enough times.

AUSA Well let's-let's talk about that okay um you'd mentioned before on August 21st that the as Mike Brown was running away the police officer a was shooting at him.

Um huh.

AUSA And a shot him in the hip and the leg, do you remember that?

Okay maybe 'cause the way he was jerking. Seemed like to me that's where he got hit at.

AUSA Okay.

Around the hip and the leg.

AUSA Okay.

You know you see somebody and they go (motions) you can kinda tell that they, that's where they got hit.

AUSA Okay and just for the tape 'cause that can't pick up what you're doing.

Okay.

AUSA Basically your kinda, your kinda jerking with your leg and your hip?

Yeah kinda jerking with my leg you...

AUSA Okay.

...on my leg and my hip, yeah that's what it looked like to me.

AUSA Okay. After that than you see Mike Brown turn around and you'd mention on again on August 21st that his hands went up briefly but then they came down.

Yes.

AUSA And by the time he was moving back towards the police officer his hands were down?

When he turned around his hands were up.

AUSA Um huh.

And as he came back towards the officer they may have stayed up briefly and then he went down.

AUSA

Okay, alright. Well and that's um see the-the I mean you've already mentioned obviously you had some issues about which way the police car was facing and then I understand that and it sounds like you've kinda resolved those in your own mind but um you-you have then the police officer chasing after Mr. Brown and shooting at him as he's running away.

Yes.

AUSA

And on August 21st you described it appeared that Mr. Brown was shot in the hip and the leg. Is that right?

Yeah.

AUSA

Okay and um then um back on August 21st you indicated that um as you have today that Mike Brown was coming back towards the police officer, is that right?

Um huh, yeah.

AUSA

And I think you'd said you couldn't tell whether he was stumbling or running at the police officer, do you remember that?

Yes.

AUSA

Okay, and is that how you remember it today?

Yeah.

AUSA

Okay.

I couldn't tell, it looked more to me like he was stumbling or I don't know.

Okay, we don't want you to assume but so I'm-I'm looking, what I'm looking at is a transcript of your statement that you gave back in August right? And that obviously, that was closer in time to when it occurred right?

Yeah.

Okay, and the detective asked you um did he have anything in his hands and you said "no, he had his saw his hand", excuse me "that I saw his hands up."

Um huh.

Then the detective said "okay, how high, how high up" and you said "like not high, but you know it was like he was turning around like and quit." And so...

Um huh.

And you're showing me right now. But let me just get this,

About shoulder length.

Okay, and then he said to you "so just to narrate, just to narrate for the recording, my hands up your palms are faced forward and your hands are near her shoulder" and you said "I didn't see anything in his hands" and then he said "so he turned around and he had his hands up near his shoulders" and then what did you see. And then you said "he was coming back toward the officer".

Um huh.

And then said "how fast, he may have been running, he may have been stumbling."

Yeah.

And then you said "and how is hands when he was coming back towards the officer" and you said "he dropped them by then".

Um huh.

And then he started holding his chest.

Yes.

So when he was coming back toward the officer, he had dropped his hands, is that right?

Yes.

Okay, and when you say his...

'Cause you see one of his hands was on his chest. I remember that.

And your demonstrating by putting and is it, is it his left hand that he put across his chest?

I couldn't exactly tell you which one.

Only 'cause you just demonstrated that's why I asked.

Yeah.

Okay.

AUSA And so you indicate at that time that it-it his hands were um, he asked you how were his hands when he was coming back toward the officer and you had said "he had dropped them by then".

Yeah.

AUSA So by the time he was coming back towards the officer he had dropped his hands.

Yeah one of 'em was on his chest.

AUSA And where was the other one, do you know?

I guess just hanging down next to him.

AUSA Alright and you had indicated at that time. When he asked you how fast Mike Brown was coming back towards the officer, you said "he may have been running, he may have been stumbling".

Um huh, yeah.

AUSA What-what leads you to think he may have been running?

I've seen people angry before and charge someone. But at the same time I've also he's was a big guy and he was holding his chest, it's not like he was it didn't look to me, I don't know.

Okay, that's why.

I really don't know.

AUSA Alright.

(laughs) I don't know.

AUSA Okay, well I was going to ask you the same thing about stumbling. But as far as running or stumbling you just you can't be sure whether which one it was.

Yeah and that's the reason why I say he might have been stumbling 'cause his hand was on his chest.

AUSA Okay.

So I don't know whether he was trying to charge the officer or whether he was stumbling 'cause he fell not too long afterwards. He hit the ground.

AUSA Well, and-and that's fine if you can't tell that's okay but the-the point is- is that in some way he was coming back towards the officer, you don't know whether he was running...

Yeah.

AUSA ...or charging or stumbling.

Yeah.

AUSA If that fair?

Yes.

AUSA Okay, alright. And a I want, I want to follow up on you'd mentioned also in this statement that um the police officer as Michael Brown was running away that he, the police officer fired three shots at him as he was facing away from the officer. Um, the detective asked you...

I guess, I can't really remember that.

And the (sighs).

AUSA ...and you can't as you sit here today you're sure about the number of shots.

I'm not sure about the number of shots.

AUSA Okay, and then but he after you mention that a to the detective he said "when he was coming back toward the officer, a do you know how many?" and you said you then followed up and said "well he just unleashed several shots".

Yeah it sound, it was like a continuous sound of gun fire.

AUSA And a but about that time is when you talked about um that when as he was running away, um the police officer it appeared shot him in the hip and the leg, okay? And that's something we wanted to talk to you about today is um that a I mean what the, the rest of the investigation tells us in particular the physical evidence is that Michael Brown was not shot in the hip or the leg, okay?

Hmmm.

AUSA Okay, he wasn't shot in the back or the rear end or the back of the legs or anything like that indicating you know that-that he wasn't shot in those areas, okay?

Okay.

AUSA Um.

I don't know. Uh huh.

AUSA Okay.

And so that's why and-and-and I see your confused and-and...

Yeah.

...and that's why were just wondering is it based upon what you saw or do you think there's any, do you think your mistaken or do you think there's any reason why, that you, why you may have seen what you saw?

I'm not entirely sure what I saw. I saw the officer with a gun in hand and I seen them both running away from me.

Okay.

I heard shots fired, but I'm not very sure of what exactly happened.

AUSA Okay, well that and that's what we wanted to ask you about is just how sure you are about that, I know that initially you were looking at your phone suddenly these shots happened.

Yeah...

AUSA And things are going on.

...everything just happened like so fast.

AUSA Yeah and-and that's fine and well that's what we want to get a handle on is what, you know what you really got a good look at and what you're not too sure about.

Yeah.

AUSA Okay, um we've talked about the direction of the car and what side of the car they might have been on and-and you were very upfront today that you may not have gotten a very good look at that, okay?

Yeah.

AUSA

As far as when-when Michael Brown is running away and the police officer is chasing him, did you-did you get a good look at that, did you only hear the shots, did you see the shots.

I saw them running.

Okay.

And I heard the shots, like I said I didn't really see the bullet actually hit his skin.

Okay.

But when he jerked I assumed that he got hit in the hip...

AUSA

Um huh.

...or the leg.

AUSA

Okay.

Okay.

Yeah.

AUSA

Alright. Because I mean at the time back on August 21st you were talking about the fact that it appeared that he was hit in the hip and the leg.

Yeah.

AUSA

But we know that he wasn't. Okay, we know from the physical evidence and the autopsy, you've probably seen, have-have you seen the autopsy in the news at all?

No, I have I can't say I watch very much TV.

AUSA

Okay, good for you. Yeah.

It's probably a good thing (laughs).

(Laughs)

AUSA But that's-that's something we wanted to talk to you about is, you know we need to be, we just need to know what-what you feel sure about and what you don't.

Okay.

AUSA Okay.

Well.

AUSA Let's, let's talk about.

I'm not too sure (laughs).

(Laughs) Right.

AUSA Well and did you have the same vantage point at-at the time then that-that Mike Brown turned around and was coming back towards the police officer. Are you anymore sure about that, than you are about the other things?

That I have the same one?

AUSA That-that were you looking at it from the same angle or had your, had your view of it changed? That's what I'm wondering.

I was lookin' at it from the same angle, yes like after we heard the first two shots, my mom stopped and wasn't driving any further and we pretty much sat right there and watched the whole thing go on before she pulled onto the parking lot right next to us and we went around behind the buildings when everything else, after he had fallen and everything else started happen' and people started coming out in the street. We were already sitting behind the apartments trying to avoid the a conflict.

AUSA Okay.

Yeah.

AUSA Alright.

So.

So let me ask you this, when-when-when you look up and-and the police officer is chasing Michael Brown and you said you saw his, you saw the police officer holding his gun, right?

Um huh.

And that's a yes right 'cause the recorder.

Yes, I'm sorry.

Your fine.

I'm tryin' a remember.

Yeah, I know um are you certain that-that the shots were fired as Michael Brown was running away from the officer or could it be possible that the shots didn't start again until after he turned around?

I wanna say that I heard the shots as he was running away.

Okay.

AUSA

Were you able to, were you able to focus your attention on both the police officer and Mike Brown from where you were seated or were you watching one or the other?

They were both like, it looked like to me that they were standing almost next to each other and I seen Mike Brown take off running and then the police officer kinda followed him.

So at the very...

He followed him.

So at the very beginning when you first look up you actually see both the police officer and-and Michael Brown standing by the car?

At the very beginning when I first look up, the first thing I saw was Mike Brown running in the opposite direction.

Okay.

And then I seen the officer chasing him.

Did you see the officer.

With the gun drawn.

I'm sorry did you see the officer actually get out of the car or was he already out of the car?

I didn't see him get outta the car. He was already out the car by the time I looked up.

AUSA

Okay.

And they were both standing or they weren't standing because Mike was running when I looked up and the officer took off behind him after he had already started running. And I-I believe I heard gun shots then.

Okay.

Yeah. If I can remember correctly.

Okay.

Did you hear the officer say anything?

I couldn't hear anything.

Okay.

I, we had music playing in and a we were already debating on whether it was gun shots or fireworks that we heard.

Okay.

So no I didn't hear them, I didn't' hear any outside conversation.

Okay, and how quick was it that Michael Brown turned around and started coming back toward the officer?

He got to the corner. He got about to the corner before he turned around.

And then did in, and then when, and then from the time that he turned he around to the time he started coming back toward the officer how quick was that?

Um.

Was it all like one motion?

I mean you really look distance I saw about a half of block he ran and then he turned around, yeah.

And wait, and when he turned around and he came back to the officer, did he turn around and like stand there and then come back to the officer or was it one kinda quick thing?

It might have been a second or two that he actually stood there before he actually started coming back at the officer.

Okay, and when he came back to the officer is when he dropped his hands, right?

Yeah.

Okay.

Yes.

AUSA And about now can you tell us about how far he came towards the officer, could you tell? (clears throat)

They were further apart then I guess around the length of this table, that's about the distance that they were apart from each other. Maybe a little bit further.

AUSA At what point, you know at the very end?

At the very end, you say?

AUSA Yes.

Yes, at the very end I guess they were standing about the distance of the table when Mike Brown hit the ground.

AUSA Okay.

What's.

AUSA That's probably eight feet?

SA Yeah, about right.

AUSA About right?

Okay.

AUSA Does that, does that sound about right?

Ahh, I guess, I'm not good with measurements.

AUSA Yeah (laughs).

(Laughs) neither am I that's why I asked that.

(Laughing)

I'm tryin' to look for the.

SA That's was equivalent to me, I'm six foot tall, so you know it was a little more than that.

AUSA That's what I was thinking, exactly I am too...

Oh okay.

AUSA ...so it's about, it's probably seven or eight feet?

SA Yeah.

AUSA Does that sound about right?

Ok, I guess so.

AUSA Okay.

Yeah.

AUSA And would did that distance stay the same the whole time, I mean as-as Mike Brown was coming towards the officer, was the officer backing away? Did the distance stay the same, did Mike Brown close the distance to where it was longer when he turned around and then got shorter, if you can tell me?

If got shorter, I don't believe that the officer moved. Like he was standing there in that one spot shooting and when Mike Brown came back um he got to the corner, her turned around, his hands was up and then he started coming back so I guess the officer, yeah he was just standing there. And he was standing there shootin'.

AUSA Alright and so when Mike Brown is coming towards him the distance is getting shorter between the two.

Yeah it's getting shorter.

AUSA Okay, about how far do you think Mike Brown came back from the point he turned around until the point where he hit the ground?

He was about eight fee when he hit the ground, from the officer.

AUSA Okay, but I'm talking about the distance from when he turned around at the corner, you talked about. That's the corner of Canfield and the driveway there right the-the parking lot.

I couldn't tell you.

AUSA Okay.

I could, I really couldn't tell you the exact, I couldn't tell you the distance.

AUSA That's fine.

And so we just ask just in case you can. It's fine if you don't know the answer.

Um, I don't I can't tell you. Like I said your about this far apart from each other when he hit the ground, that's all I know.

And you're talking about the table length.

AUSA Yeah, yeah you're talking about basically the table length.

Yeah the eight foot table, yes.

AUSA Yeah okay.

Sorry.

AUSA Alright. Um the-the last portion we talked about here where Mike Brown turns around and is coming back towards the officer. Do you feel more sure about that than you do about the part before that? You-you'd had mentioned that you had kinda had some doubts about the part before that. Do you feel more sure about it jus-just as sure, less sure.

You say the part before that.

AUSA Well you were talking about you know, we-we've talked today about the-the issues with what direction the police car was facing...

Okay, yeah.

AUSA ...what kind of car it was um which side of the car they were on.

Um yeah.

AUSA Um whether or not the police officer shot at Mike Brown as he was running away whether he hit him in the hip or the leg and you told us today that you know he may, your-your not real sure about that.

Um huh.

AUSA After hearing you know we've told you a little bit more about...

Yeah.

AUSA ...a the physical evidence or you equally as unsure about what happened after that or do you feel like you got a better look at that, if you can say?

From what my memory recalls it looked to me like I'm-I'm pretty sure him, he was still firing the gun when he turned around. Yeah.

AUSA When Mike Brown turned around?

Yeah when Mike Brown turned around the officer...

AUSA And was coming back toward him.

...the officer was still firing the gun.

AUSA Okay.

Yeah.

AUSA Alright. You feel pretty sure about that?

I feel pretty sure about that.

AUSA Okay.

I kinda asked myself a question of why he was still shooting.

AUSA Um huh.

Yeah.

AUSA As you're talking about the point where Mike Brown is turned around and is coming back towards him?

Yeah.

AUSA Alright, okay. You say you-you've asked yourself that question "why was the police officer still shooting at him".

Yeah like that's-that's kinda what I asked myself at that point.

AUSA Okay.

I was like why is he still shooting him?

AUSA

Well let me ask you that, is that one reason why you thought that Mike Brown might have been running back towards the police officer?

Um, it was the discussion, the discussion that we had after we drove away from it. That made me unsure of what happened because it seemed like I saw something different from what everyone else saw.

AUSA

Okay.

How so?

Um, like with the car situation. I thought it was pointed in the same direction they said it wasn't.

Okay, they meaning your-your mother.

Yeah my mother and my sister.

Okay.

Aaa we argued about how many bullets was used, aaa I said it sounded like a lot, we tried to determine whether it was whole clip. Nobody really knows how many bullets are in a clip though.

(Laughs)

Sorry we don't play with 'em.

(Laughs)

Okay aa, yeah I just felt like it could have been dealt with a different way, but like I'm on the outside looking in. I didn't see it. I was just my feeling was hurt that seeing someone die.

AUSA

Right, regardless of...

Yeah.

Yeah.

AUSA

...why they died.

Yeah, regardless of why they died or who it was that died, it's just it could have been anyone, anyone. It just I was a little distraught over seeing someone gunned down.

And you had clearly seen something different than what your mother say and what you sister saw, right?

Yeah.

And you were all in the same ?

We were all in the same , but we had different stories. We talked about it on the way home. Yeah 'cause that' what's...

AUSA

And this is immediately after this happened your-your talking about?

Immediately after this happened we were talking about how many bullets was used and whether...

(Sighs)

...what he was doing exactly. Yeah 'cause...

AUSA

What Mike Brown was doing?

Yeah what he was doing 'cause I said that It looked like it he was stumbling, someone else said looked like he was charging and I was like well his hand was on his chest. You know we talk about it.

AUSA

Um huh.

On the way back, yeah.

AUSA

Okay.

Did you reach any sort of agreement, or no?

I can't tell you that we kinda just, we talked about it for a moment and then just put it away.

AUSA

It sounds like though you-you agreed that Mike Brown was coming back towards the police officer.

Yeah.

AUSA

And the question in your mind was just, was he running or was he stumbling forward.

Yes.

AUSA

Is that right, in your mind.

Yeah.

AUSA Okay.

'Cause in my mind he had been shot a couple time, but apparently that's not true. Huh.

AUSA Yeah, I mean all-all I can tell you at this point is that was a major question we had because you referred to the shot to the hip and leg.

Yeah.

AUSA And we know from the autopsy it's very clear that there is not shot to the hip or the leg.

Well, I can only tell you what I thought I saw. (Laughs)

That's fine, and that's fine and we appreciate your honesty.

Okay.

AUSA Do you want to take a break real quick?

Do you mind if you give us just five minutes, you can stay here?

Alright.

AUSA Yeah were just gonna take a quick break and we'll be right back.

Okay.

AUSA Okay.

Can I have some water?

AUSA Sure.

SA I'll take care of that.

AUSA Yeah.

Here you go, yeah I got 'em.

AUSA Will a leave the recorder going here just so we don't have to restart it when we come back in. But we'll be-we'll be gone just a few minutes and we'll be right back.

Okay.

AUSA And we'll get you some water, okay?

Then we'll- then we'll let you go.

Alright.

I know you look thrilled to be here.

(Laughs)

Anybody know what time it is?

SA Quarter til, quarter til two. You got an appointment or anything or?

Yeah actually I have to go pick up and I have to go to work.

SA Okay but so what times?

Ah

SA Okay, okay.

And I have to be at work at I usually get

SA Okay, okay yeah let me make sure I put it in your notes. Give me just a few minutes.

Okay.

SA Here you go.

Thank you.

SA Sure.

(Laughing in background)

(Sighs) No way. (Sighs) Oh (UI).

No we were making you sit here in (UI).

SA Yeah.

AUSA: Alright. I don't think we have anything else. Is there anything else you think is important we didn't ask you about or we didn't talk about today?

Not that I can think of.

AUSA Okay.

I just told you what I thought I saw.

(Laughs) right.

AUSA: Yeah, that's fine.

SA Right.

AUSA: That's fine. And um you a, a obviously had an opportunity to tell us whatever you wanted to today. Is that fair? Do feel like we were fair to you today?

Yeah.

AUSA Okay, a do you feel like anyone tried to put any words in your mouth or get you to say anything at all?

No.

AUSA: Okay and obviously again no one promised you anything to come down here and give a statement today, is that right?

No.

AUSA And no one threatened you in any way?

Nope, I wasn't bribed or threatened or anything?

AUSA: Yeah those are just the standard questions we ask.

I understand.

AUSA You understand, okay?

Anything, anything at all you want us to know?

A, about Mike Brown?

Or anything?

(Laughs)

I mean I worry when I ask the question?

AUSA

What else, what else are you, yeah. What else you got?

(Laughs)

SA

What do you got, go ahead yeah.

(Laughs)

AUSA

Right.

Don't ask me that question.

(Laughs)

AUSA

No but seriously nothing else about Mike Brown that you think is important?

Nothing else about Mike Brown that I can add on at this point.

AUSA

Okay.

That was all I saw.

AUSA

Um huh.

When I-I seen him running. I seen him coming back. I don't know anything beforehand or what happened afterwards.

AUSA

Okay.

Like I said we kinda just left the area afterwards. We were all a bit shaken up.

AUSA

Understood.

Yeah.

AUSA

And again you-you didn't see anything that happened a before you heard those two shots and saw Mike Brown running.

I didn't see anything. I didn't see nobody standing there I didn't see him talking to the officer. I didn't see I heard pow-pow looked up and saw him running.

AUSA

Okay.

That was it.

AUSA

Alright, I don't think I have anything else.

No, thank you so much we appreciate it.

Alright. No problem.

SA

Alright, thank you. It is 1:49, conclusion of interview.

Okay.

So that was pretty..